U. S. DEPARTMENT OF LABOR
JAMES J. DAVIS, Secretary
CHILDREN'S BUREAU
GRACE ABBOTT, Chief

THE CHICAGO JUVENILE COURT

By
HELEN RANKIN JETER

Bureau Publication No. 104

WASHINGTON
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LETTER OF TRANSMITTAL.

U. S. DEPARTMENT OF LABOR,
CHILDREN'S BUREAU,
Washintgon, May 1, 1922.

SIR: There is transmitted herewith a report on the Chicago Juvenile Court by Helen R. Jeter, one of a series of studies now being made by the Children's Bureau.

It is believed that this description of the organization and methods of operation of the oldest and one of the largest juvenile courts in the country will be of special value to all students of juvenile delinquency.

In planning the investigation and writing the report Miss Jeter had the assistance and counsel of Prof. S. P. Breckinridge, of the University of Chicago, who also edited the report.

Respectfully submitted.

GRACE ABBOTT, *Chief.*

Hon. JAMES J. DAVIS,
Secretary of Labor.

EDITOR'S NOTE.

The following study of the Cook County, Ill., juvenile court, the oldest of the juvenile courts organized under express statutory authority, was made during the period between January 1, 1920, and June 30, 1921.

Miss Helen R. Jeter, now assistant in the graduate school of social service administration of the University of Chicago, formerly of the Chicago School of Civics and Philanthropy, with the assistance of various investigators, collected the material and wrote the report.

The sources drawn upon for the study were the records of many cases covering the whole history of the court, selected at random; the careful summarizing of 95 cases heard by the court during the first two weeks of January, 1920; a study of the statutes under which the court has developed; the annual reports of the court, of the chief probation officer, and of other county officials, ordinarily contained in the "Charity Service Reports, Cook County, Ill."; and interviews with the officers of the court, of the Juvenile Detention Home, and of the Institute for Juvenile Research. To all of these grateful acknowledgments are made. The report, of course, could not have been prepared without the consent of Judge Victor P. Arnold or the helpful and sympathetic cooperation of the chief probation officer, Mr. Joseph L. Moss.

The Illinois Legislature met in the winter of 1921. In preparation for that session the director of the department of public welfare of Illinois appointed a committee of persons interested in child welfare work for the purpose of "setting forth a program of adequate child care, of correlating efforts of existing boards and departments in the interests of children, of codifying the laws relating to children, and establishing throughout the State minimum standards of child welfare."[1] Judge Arnold was an active and helpful member of that committee, and during the session of the legislature he gave effective support to a revision of the aid-to-mothers law,[2] granting to the court more ample powers in the matter of making allowances under

[1] Report of the Department of Public Welfare of Illinois, Children's Committee, December, 1920, p. 3.

[2] Laws of Illinois, 1921, p. 162.

that act and providing for an increase in the fund now known as the mothers' pension fund.

On June 6, 1921, Judge Arnold, for five years judge of the juvenile court, was reelected by a substantial majority, thus assuring the court of community confidence and support in the development of a program which will make possible the elimination of some of the administrative difficulties which, as this report indicates, have reduced the efficiency of the court in the past.

S. P. BRECKINRIDGE.

THE CHICAGO JUVENILE COURT.

ORIGIN AND DEVELOPMENT OF THE COOK COUNTY JUVENILE COURT.

Before the enactment of the juvenile-court law in Illinois children who had violated the law were dealt with exactly as adult persons charged with crime with respect to arrest, detention, and trial. Illinois had been admitted to the Union as a common-law State in 1818. The age of criminal responsibility was therefore 7 years, until the enactment of the criminal code in 1827,[1] which raised the age to 10. The child of 10 or more might, however, still be considered a criminal, and this provision[2] remains unchanged to the present time, though its importance has been considerably affected by other enactments.

Judge Merritt W. Pinckney, formerly judge of the juvenile court, described the situation of the child of 10 or more prior to July 1, 1899, in the following language:

> When a law of the State was violated the State demanded vindication, the same vindication from a lad of 12 as from an adult of 25. Punishment, not reformation, was the first fundamental thought of our criminal jurisprudence; punishment as an expiation for the wrong and as a warning to other possible wrongdoers. The lad of 12 years was arrested, put in jail, indicted by the grand jury, tried by a petit jury, with all the formality of the criminal law, and if 12 men, tried and true, found that he had violated some law, then the great Commonwealth of Illinois, through the judgment of the court, visited its punishment upon him.[3]

The only point at which the treatment of the juvenile criminal differed from that of the adult was the form that such punishment might take. As early as 1831 certain exceptions are found in the method of punishing minors. An act[4] of that year providing for the establishment of a State penitentiary stated that persons under 18 were not included in the terms of that law, but were still to be dealt with under the criminal code of 1827.[5]

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[1] "An infant under the age of 10 years shall not be found guilty of any crime or misdemeanor." Revised Laws of Illinois 1827, p. 124, sec. 4.

[2] Hurd's Illinois Revised Statutes 1919, ch. 38, sec. 283.

[3] Charity Service Reports, Cook County, Ill., 1913, p. 216.

[4] Laws of Illinois 1830–31, p. 103, sec. 43.

[5] This meant considerably lighter sentences for persons under 18. The act of 1831 imposed sentences varying from 7 years to life imprisonment in the penitentiary, while the criminal code of 1827, which was still to remain in operation for young persons, imposed sentences of whipping, fines, and imprisonment, usually not over 3 years, for the same offenses. (Revised Laws of Illinois 1827, p. 124, secs. 29, 46, 47, 48, 50.)

In 1833 the criminal code included for the first time the provision that "persons under 18 shall not be punished by confinement in the penitentiary for any offense except robbery, burglary, or arson; in all other cases where a penitentiary punishment is or shall be provided such person under the age of 18 shall be punished by imprisonment in the county jail for any term not exceeding 18 months at the discretion of the court."[6]

This provision remained the only statute modifying the treatment of minors until 1867, when provision was made for the establishment of the first State reform school.[7] This act provided[8] that "All courts of competent jurisdiction are hereby authorized to exercise their discretion, in sending juvenile offenders to the county jails, in accordance with the laws made and provided, or in sending them to the reform school." The school was established for boys under 18, while girls of that age throughout the State, as well as boys in Cook County, were committed to the reformatory already established in Chicago. Persons under 18 could no longer be committed to the penitentiary for arson, burglary, or robbery, but commitment to county jails for these and other offenses was left to the discretion of the courts.

In 1874 the law concerning jails and jailers was amended by the addition of a provision[9] requiring that minors should be "kept separate from notorious offenders and those convicted of a felony or other infamous crime."

In 1891 the State reformatory was divided into two departments, one for boys between 10 and 16, the other for boys between 16 and 21.[10] The act passed at this time required that boys under 16 convicted of an offense punishable by imprisonment in a county jail or penitentiary be committed to the reformatory, although those guilty of minor offenses might still be punished in county jails.

The statute authorizing the establishment of the Illinois Home for Juvenile Offenders was enacted in 1893 and provided for commitment to the home, at the discretion of the court, of girls between the ages of 10 and 16 who were convicted of offenses punishable by imprisonment in a county jail or house of correction.[11] In 1895 this law was amended to include offenses punishable by imprisonment in the penitentiary.[12]

Thus, until the enactment of the juvenile court law in 1899, the delinquent child between 10 and 16 was subject to all the criminal

[6] Revised Laws of Illinois, 1833, p. 209, sec. 158.
[7] Ibid., 1867, p. 42.
[8] Ibid., sec. 16.
[9] Hurd's Illinois Revised Statutes 1874, ch. 75, sec. 11.
[10] Laws of Illinois 1891, p. 52, sec. 9.
[11] Ibid., 1893, p. 23, secs. 16 and 17.
[12] Ibid., 1895, p. 295.

processes applicable to adults so far as arrest, detention, and trial were concerned and could still be committed to a house of correction or to a county jail at the discretion of the court, except for more serious offenses, for which he was committed to a State reformatory.[13]

For the care of dependent children, provision had been made by "An act to provide industrial schools for girls" in 1879[14] and "An act to provide for and aid training schools for boys" in 1883.[15] These acts provided for the incorporation of industrial and training schools to receive dependent children under 18 who were committed to their care by the county court and for whose support the county might pay a certain amount. The schools were subject to State supervision but received no State appropriations. Cases were brought to the attention of the court by petition, and a jury of six was required to pass upon the question of dependency.

The validity of the earlier of these two acts was attacked in 1882, on the following grounds: (1) That the institutions created under the act were really penal institutions, and, therefore, that commitment was a punishment resulting in the restraint of liberty, and that the procedure, therefore, violated various constitutional safeguards such as trial by a jury of 12; (2) that the institutions might be sectarian within the meaning of the constitutional prohibition against payment of public funds to sectarian institutions; (3) that the liability for the support of dependent female children could not be placed upon the county. None of these objections was, however, sustained by the court. The second of these arguments was the basis for an action brought in 1917, but its validity was again denied.[16] Thus the earlier law was upheld.[17] The validity of the second act has never been attacked.

These acts still remain in operation and were not affected by the passage of the juvenile court law except that jurisdiction in dependent cases was bestowed upon the circuit as well as the county courts in other counties than Cook, in Cook County being restricted to the circuit court.

The so-called juvenile court act of 1899, under which the juvenile court of Cook County was established, was the culmination of nearly 10 years' discussion and experiment on the part of social agencies and of persons interested in child welfare. As early as 1891 the

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[13] Hurd's Illinois Revised Statutes, 1897, ch. 118.

[14] Laws of Illinois 1879, p. 309.

[15] Ibid., 1883, p. 168.

[16] Dunn *v.* Chicago Industrial School, 280 Ill. 613.

[17] Petition of Ferrier, 103 Ill. 367, and County of McLean *v.* Humphreys, 104 Ill. 378. Art. VIII, sec. 3, of the State constitution provides that "neither the general assembly nor any county, city, town, township, school district, or other public corporation shall ever make any appropriation or pay from any public fund whatever anything in aid of any church or sectarian purpose, or to help sustain or support any school controlled by any church or sectarian denomination whatever."

Visitation and Aid Society of Chicago[18] introduced into the legislature a bill designed to give an authoritative basis for the work of that society by providing for the commitment of children to the care of organizations of the same general character. The bill, however, failed of passage.[19] It dealt only with dependent and neglected children and, had it been passed, would have solved only part of the problem.

One of the first efforts in behalf of delinquent children was made about 1893, when a school for the boys in the county jail was started by a private citizen and was later taken over, supported, and established on a fairly permanent basis by the Chicago Woman's Club.[20] Not the least important of the results of this experiment was the public interest aroused in the number of children confined in the county jail and in the condition of these children. An effort soon developed to secure a special law dealing with the treatment of delinquent children; and in 1895, after a study of the probation system established in 1878 in Massachusetts for both adults and children,[20a] a bill was drafted at the instance of the Chicago Woman's Club, containing provisions for a separate court and for a probation staff. The question of its constitutionality was raised, however, and the bill was abandoned without being introduced in the legislature. During the next few years the Chicago Woman's Club continued to support the school in the county jail, established manual training in the house of correction, and secured separate housing for boys committed to that institution. Considerable discussion of the various problems connected with the care and treatment of the young offender in Cook County was carried on in the press and in public meetings during this period.

In 1898 the questions of the reform of court procedure and of a probation system were among the subjects discussed by the Illinois State Conference of Charities, and at that time Dr. Frederick W. Wines, the veteran prisoner reformer, formerly secretary of the Illinois State Board of Charities, declared:

> We make criminals out of children who are not criminals by treating them as if they were criminals. That ought to be stopped. What we should have in our system of criminal jurisprudence is an entirely separate system of courts for children in large cities who commit offenses which would be criminal in adults. We ought to have a "children's court" in Chicago, and we ought to have a "children's judge," who should attend to no other business. We want some place of detention for those children other than a prison (reference made

[18] Hurley, T. D.: "Development of the juvenile court idea," in Charities, Vol. XI, p. 423 (Nov. 7, 1903).

[19] For draft of bill, see Hurley, T. D.: Juvenile Courts and What They Have Accomplished. The Visitation and Aid Society, Chicago, 1904.

[20] Most of these facts regarding the early history of the Illinois juvenile court movement are drawn from Lathrop, Julia C.: "Development of the probation system in a large city," in Charities, Vol. XIII, p. 344 ff. (Jan. 7, 1905).

[20a] Massachusetts Acts and Resolves, 1878, ch. 178, p. 146.

to the New York system of detention). A thing we want to borrow from the State of Massachusetts is its system of probation. No child ought to be tried unless he has a friend in court to look after his real interests * * * In such cases in Massachusetts the judge sends a probation lawyer to investigate the conditions of the home and all the circumstances surrounding the case.[21]

The Illinois State Board of Public Charities, the Illinois Federation of Women's Clubs, the Chicago Bar Association, the Chicago Board of Education, and the Illinois State Conference of Charities, all interested themselves in the passage of the act entitled "An act to regulate the treatment and control of dependent, neglected, and delinquent children,"[22] which was signed April 21 and went into effect July 1, 1899.

This law contained the essential features of later juvenile-court legislation. In it were provisions (1) for the separate hearing[23] of children's cases in a court having chancery rather than criminal jurisdiction; (2) for the detention of children apart from adult offenders; and (3) for a probation system. It was, however, weak at many points, and its administration had often to be supplemented by private effort. A number of amendments[24] intended to cure the various weaknesses of the original law have been adopted, and the present organization and practice of courts acting under the statute are the result of a gradual development that is probably not yet complete. The present study deals with only one of those courts, namely, the Cook County court sitting in Chicago. That court operates under such provisions of the act as are of general application and under other provisions applying to counties of more than 500,000 population—that is, to Cook County.

The first session of the Cook County court was held on July 1, 1899, and at that session, Mrs. Alzena P. Stevens, a resident of Hull House, volunteered to serve as probation officer.[25] The act had authorized the creation of a probation staff for the probationary care of delinquent children, but it was also specified that such officers should not be paid from public funds.[26] The framers of the act had acquiesced in this program for two reasons:[25] First, because they feared lest the prospective cost involved in the payment of probation officers might defeat the bill; and, second, because probation officers if paid from public funds might be selected on a political basis. The salaries of Mrs. Stevens and four or five other volunteer officers were raised for the first few years by private subscription.

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[21] Fifteenth Biennial Report of the Board of State Commissioners of Public Charities of the State of Illinois (1898), p. 336.

[22] Laws of Illinois 1899, p. 131.

[23] Section 3 required a special court room in Chicago.

[24] The law of 1899 was amended: 1901, p. 141; 1905, pp. 151 and 152; 1907, p. 70; and 1911, p. 126.

[25] Lathrop, Julia C.: "Development of the probation system in a large city," in Charities, Vol. XIII, p. 345 (Jan. 7, 1905).

[26] Laws of Illinois 1899, p. 131, sec. 6.

In 1904 those interested in the support of these probation officers incorporated as the Juvenile Court Committee,[27] and by that time the number of officers had increased to 15, of whom 4 were men and 11 were women.

Besides these officers, representatives of various social agencies, such as the Illinois Children's Home and Aid Society (nonsectarian Protestant), the Visitation and Aid Society (Roman Catholic), and the Bureau of Personal Service (Jewish), were commissioned as probation officers. Individuals interested in particular cases were also appointed as volunteer probation officers. Moreover, in 1899 the mayor of Chicago at the request of the judge of the juvenile court directed that two police officers from each station be detailed as probation officers.[28]

In 1905, 15 probation officers were being paid by the Juvenile Court Committee, and about 20 police officers were assigned to work with the juvenile court.[29] In that year an amendment was adopted[30] providing that in counties of more than 500,000 population (i. e., Cook County) the judges of the circuit court might determine how many probation officers were necessary, such officers to be appointed in the same manner and under the same rules and regulations as other officers of the county and paid under authorization of the board of county commissioners.

The legal status of the probation staff, however, was not even then determined. The amendment of 1905 had placed payment in the hands of the board of county commissioners, and appointment "in the same manner as other county officers" was understood to mean certification by the county civil service commission. For six years the law was interpreted in this manner, and the number of probation officers paid by the county was increased from 23 in 1905 to 37 in 1911. In that year a newly elected county administration attempted to bring political pressure to bear upon the probation staff. A campaign of abuse was waged in the public press—attention was called to cases which, it was claimed, had resulted disastrously; probation officers were pictured as "child snatchers;" and the work of the juvenile court was rendered extremely difficult. The county civil service commission joined in the attack through a pretended

[27] Among the early officers of this committee were Mrs. Joseph T. Bowen, the Very Rev. Dean Summer, Father Andrew Spetz, Dr. Rabbi Joseph Stoltz, Mrs. Charles M. Walker, Mrs. George R. Dean, and Mrs. Wm. Thomas. In 1909 the name was changed to the Juvenile Protective Association of Chicago. The association continued its financial assistance to the court until 1908. Since that time it has been concerned exclusively with community problems affecting delinquency.

[28] Testimony of Judge Pinckney in Breckinridge and Abbott: The Delinquent Child and the Home, Charities Publication Committee, New York, 1912, p. 240.

[29] The number was at first about 20 and was increased to 30 in 1908. See Charity Service Reports, Cook County, Ill., 1903–1911.

[30] Laws of Illinois 1905, p. 151.

investigation of the court. These attacks failed to command public confidence, however, and finally the board of commissioners of Cook County was prevailed upon to appoint a committee of five citizens to make an impartial investigation.[31] On September 28, 1911, before the report of the committee had been completed, however, the president of the county board of commissioners suspended the chief probation officer and filed with the county civil service commission charges against him, alleging "incompetency, lack of executive ability, and neglect of duty." The hearing on these charges extended over a period of three months and included an investigation of the work of the probation department, of the detention home, and of the industrial schools to which dependent children were committed by the court. On January 6, 1912, the civil service commission decided adversely to the chief probation officer and dismissed him. He appealed the case, with the result that that portion of the act providing for the selection of probation officers by the county commissioners was held unconstitutional[32] as a violation of the principle of separation of powers laid down in Article III of the Illinois constitution. The right of the court to be free from interference in the selection of its officers was thus recognized. Probation officers were declared to be assistants to the court, performing judicial functions, and as such to be chosen only by popular vote or appointed by the court itself.[32a] The selection of probation officers was thus left in the hands of the judges of the circuit court; they agreed to delegate that selection to the judge of the juvenile court, who had suffered greatly from the political attack on the work of the court. He devised at this time a substitute for the civil service test that has worked admirably and is still in use. Since that time probation officers have been appointed by the judge on the basis of competitive examinations, held from time to time under the direction of a committee of citizens[33] chosen by the judge because of their unquestioned special fitness for the task and their public spirit. Since 1912 five such examinations have been held, two for chief probation officer, one in 1913 and another in 1918, and three for assistant probation officer, in 1913, 1916, and 1919.[33a] This

[31] The members of this committee were Willard E. Hotchkiss (chairman), Saul Drucker, Rev. C. J. Quille, Rev. August Schlechte, and Mrs. James E. Quan. The committee reported in January, 1912. The report is entitled "The Juvenile Court of Cook County, Ill. Report of a Committee Appointed under Resolution of the Board of Commissioners of Cook County, Aug. 8, 1912."

[32] Witter *v.* Cook County Commissioners, 256 Illinois, 616. See also People *v.* C., B. & Q. R. R. Co., 273 Illinois, 110. The report of the citizens' committee shortly after showed no grounds for this decision of the civil service commission.

[32a] This decision did not affect the position of clerical assistants, who are still appointed under civil service regulations.

[33] The first committee was composed of members of the Juvenile Court Committee that had chosen and paid probation officers before the amendment of 1905.

[33a] A fourth examination for assistant probation officer was given in 1922.

device has served to protect the judge from political pressure and to maintain the quality of the probation service.

Again, in 1917, the status of the probation officers was attacked through a bill to enjoin the county treasurer from paying the salaries of any of the probation staff. The bill was dismissed for want of equity by the superior court of Cook County, but appeal was allowed to the appellate court of Illinois, and for more than a year, pending decision, the payment of salaries by the county treasurer was made possible only by the guaranty of funds by private citizens and by a special act of the legislature.[34] Finally, on June 14, 1918, the appellate court of Illinois[35] confirmed the decision of the lower court, and the status of probation officers was once more assured.[36]

The constitutionality of the juvenile court law itself was attacked in 1912 by an appeal[37] from a judgment of the Cook County court declaring a child to be dependent and appointing a guardian under the act. The supreme court, though it reversed the decision of the court in the particular case, upheld the law at every point at which it was attacked.[38]

The law of 1899 had contained no provision for the detention of children except one prohibiting commitment of children under 12 to a jail or police station and giving authority to place a child awaiting trial in "some suitable place provided by the city or county."[39] Since neither the city nor the county had at first a suitable place, the task of providing one, like that of paying probation officers, was undertaken by private initiative. The Illinois Industrial Association assumed the care of boys awaiting hearing on delinquent petitions, the city and the county each paying half the board of the children.[40] Dependent children were detained, when necessary, in a room of the Cook County Detention Hospital. In 1903 the Juvenile Court Committee took over the care of all children and established a detention home at 625 West Adams Street. The expenses were paid in part by this committee, but the larger share was borne by the city and the county.[40]

The establishment consisted of an old residence in which dependent children were housed and a remodeled barn for delinquent boys. The delinquent girls were detained in an annex to one of the police stations, where older women were also confined. At first the detention home was placed under the care of a police officer, and little

[34] Laws of Illinois 1917, p. 536. This law safeguards a public officer from personal liability for the disbursement of funds in emergencies of this kind.

[35] Gilbert et al. *v.* Sweitzer, 211 Illinois App. 438.

[36] See p. 30 of this report for discussion of salaries of probation officers.

[37] By a writ of error, Hurd's Illinois Revised Statutes 1919, ch. 23, sec. 190d.

[38] Lindsay *v.* Lindsay, 257 Ill. 328.

[39] Laws of Illinois 1899, p. 131, secs. 5 and 11.

[40] Lathrop, Julia C.: "Development of the probation system," in Charities, Vol. XIII, p. 346 (Jan. 7, 1905).

amusement and no schooling were provided. In 1906, however, the city board of education assigned a teacher for the instruction of delinquent boys.[41]

In 1907 a law was passed[42] authorizing the establishment of a detention home by county authorities on vote of the people of the county; but without awaiting a popular vote, the county and the city entered into a cooperative undertaking to erect a juvenile court building on Ewing Street, accommodating both the detention home and the juvenile court rooms.[43] This building is still occupied as a detention home, but in 1913 its crowded condition led to the removal of the court to the county building, where other courts are held.[44]

A third important development in the Chicago juvenile court resulted from the enactment of the funds to parents and aid to mothers laws,[45] which added to the earlier work of the court a class of cases involving principles of public relief and requiring a complicated administrative machinery. The first of these acts, the funds to parents act,[46] was a brief amendment to the juvenile court law authorizing in certain dependent cases the granting of relief by the court. That amendment read as follows:

> If the parent or parents of such dependent or neglected child are poor and unable to properly care for the said child, but are otherwise proper guardians and it is for the welfare of such child to remain at home, the court may enter an order finding such facts and fixing the amount of money necessary to enable the parent or parents to properly care for such child, and thereupon it shall be the duty of the county board, through its county agent or otherwise, to pay to such parent or parents, at such times as said order may designate, the amount so specified for the care of such dependent or neglected child until the further order of the court.[47]

In 1913 a more elaborately drawn aid to mothers law superseded the amendment of 1911. This law not only defined the group of eligible families to whom grants might be made and fixed conditions under which those grants might be enjoyed but also provided for a special tax to be set aside as a special fund for mothers' pensions.[48]

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[41] Thurston, H. W.: "Ten years of the juvenile court of Chicago," in The Survey, Vol. XXIII, pp. 656, 662, and 663 (Feb. 5, 1910).

[42] Laws of Illinois 1907, p. 59. Hurd's Illinois Revised Statutes 1919, ch. 23, sec. 271.

[43] First Annual Message of William Busse, president of the board of commissioners of Cook County, in Charity Service Reports, Cook County, Ill., 1907, p. 29.

[44] The building at 202 Ewing Street (now 771 Gilpin Place) has now become inadequate for the detention home and is soon to be replaced. See p. 53.

[45] Hurd's Illinois Revised Statutes 1919. ch. 23, sec. 298

[46] Laws of Illinois 1911, p. 126. See also Hurd's Revised Statutes 1919, ch. 23, sec. 175.

[47] Laws of Illinois 1911, p. 126. Hurd's Illinois Revised Statutes 1919, ch. 23, sec. 175. The administration of the mothers' pension law has been quite fully discussed. See Abbott, Edith, and Breckinridge, S. P.: The Administration of the Aid-to-Mothers Law in Illinois. Children's Bureau Publication No. 82, Washington, 1921.

[48] Three-tenths of 1 mill on the dollar to be levied on all taxable property of the county. Laws of Illinois, 1913, p. 127; Hurd's Illinois Revised Statutes, 1919, ch. 23, sec. 298 fol. The 1911 act had proved inadequate in many respects other than the financial provisions.

The courts held in 1915, however, that this act did not increase the total amount of the county taxes the county was authorized to spend but merely reduced the amount available for other county expenditures.[49] The county board therefore appropriated annually for mothers' pensions less than the actual amount of the special tax fund. In June, 1919, however, the law was amended so as to authorize an increase in the total volume of county expenditures and to provide an adequate fund that should be available exclusively for mothers' pensions.[50]

Various aspects of the practice of the court, chiefly those of an administrative nature, will be discussed in the following chapters. It has perhaps been made clear that at no time during the court's existence have the conditions under which it functioned been entirely satisfactory. It has suffered from open political attack, from legislative caution and legislative blundering, from the hostility of other administrative bodies, and from public indifference. These difficulties should be kept in mind throughout the following discussion.

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[49] People *v.* Chicago, Lake Shore & Eastern R. R. Co., 270 Ill. 477.

[50] The law was amended June 21, 1919, to provide for a tax of four-tenths of 1 mill on the dollar in counties of over 300,000 population and was further amended nine days later to provide for a tax of four-fifteenths of 1 mill to correspond with a change in the assessed valuation from one-third to one-half the cash value of the property. (See Laws of Illinois 1919, pp. 780–781, and pp. 781–782, and Hurd's Illinois Revised Statutes, 1919, ch. 23, sec. 313.)

THE JURISDICTION OF THE COURT.

CHARACTER OF THE COURT AND AREA COVERED.

The juvenile court law of Illinois created no new or special courts, but in all portions of the State except Cook County conferred jurisdiction in cases arising under the law upon circuit and county courts. In Cook County, which constitutes an entire and single judicial circuit, original and exclusive jurisdiction was conferred upon the circuit court alone.[1] The juvenile court sitting in Chicago is thus technically the juvenile court of Cook County, and is a division or branch of the circuit court of the county. As such its territorial jurisdiction covers besides the city of Chicago a considerable outlying territory that is both suburban and rural in character. In this outlying district are 5 incorporated cities from 2,000 to nearly 25,000 in population, and about 70 villages of from a few hundred to 19,000 population.[2] The suburban district covers an area of about 733 square miles and contained in 1910 a population, urban and rural, of 219,950.[2] From the point of view of administration such territorial jurisdiction presents many difficult problems.[3]

CLASSES OF CASES.

The jurisdiction exercised by the juvenile court includes three classes of cases. The first is composed of those over which the jurisdiction is original and exclusive under the juvenile court law. These are cases of delinquent children, dependent or neglected children, and mothers' pension cases.

A delinquent child, as defined by the statute,[4] is a boy under 17 or a girl under 18 who violates any law of the State; is incorrigible, knowingly associates with thieves, vicious or immoral persons; without just cause and without the consent of its parents, guardian, or custodian absents itself from its home or place of abode, is growing up in idleness or crime; knowingly frequents a house of ill repute; knowingly frequents any public shop or place where any gaming device is operated; frequents any saloon or dram shop where intoxicating

[1] Hurd's Illinois Revised Statutes 1919, ch. 23, sec. 171.
[2] Thirteenth Census of the United States, 1910, Vol. II, Population, p. 445.
[3] See p. 32 of this report for organization of work in outlying districts.
[4] Hurd's Illinois Revised Statutes, 1919, ch. 23, secs. 170, 298.

liquors are sold; patronizes or visits any public pool room or bucket shop; wanders about the streets at night; habitually wanders about railroad yards or tracks or jumps on any moving train, or enters any car or engine without authority; uses vile, obscene, vulgar, profane, or indecent language, or is guilty of indecent or lascivious conduct.

A dependent or neglected child[5] is a boy under 17 or a girl under 18 who, for any reason, is destitute, homeless, abandoned, or dependent upon the public for support; has not proper parental care or guardianship, habitually begs or receives alms; is found living in any house of ill fame or with any vicious or disreputable person; or has a home which by reason of neglect, cruelty, or depravity on the part of the parents, guardian, or any other person in whose care it may be, is an unfit place for such child; and any child under 10 who is found begging, peddling, or selling any articles or singing or playing any musical instrument for gain upon the street, or giving public entertainments or accompanying any person so doing.

In these cases and in aid to mothers cases as well,[6] the jurisdiction is technically exercised over the child. Actually, however, the entire family is brought under supervision.

The second class of cases is that in which the juvenile court exercises jurisdiction as a branch of the circuit court. The jurisdiction is therefore not exclusive. These are cases of truants under the parental schools act, feeble-minded children, children given in adoption, and illegitimate children.

Under the parental schools act,[7] providing for commitment of habitual truants to such schools, jurisdiction is conferred upon the county and circuit courts of the State. In Cook County, under an agreement of the circuit judges with the county judge, this jurisdiction is exercised by the juvenile court alone. Truant officers are, however, appointed by the board of education and subject to that authority, and the only real contact of the juvenile court with the truant child is the hearing in court.

Jurisdiction under the adoption law[8] may likewise be exercised by the county or circuit courts of the State. All such cases filed in the circuit court of Cook County are, by agreement, heard by the judge of the juvenile court. With the exception of the judge, then, no officers of the juvenile court have any legal authority over cases involving only adoption. In the case of a delinquent or dependent child, however, a petition may be filed under the juvenile court law praying the appointment of a guardian authorized to consent to legal adoption,

[5] Hurd's Illinois Revised Statutes 1919, ch. 23, sec. 169. The 1899 law defined as delinquent only one who violated a law of the State or a local ordinance. The amendment of 1905, p. 152, included the present definition.

[6] Hurd's Illinois Revised Statutes, 1919, ch. 23, sec. 298.

[7] Ibid., ch. 122, sec. 144.

[8] Ibid., ch. 4, sec. 1. The county judge has entered into no agreement on this subject.

and the court in which adoption proceedings are pending may accept the consent of the guardian appointed without further notice to parents or relatives.[9] This amounts to the juvenile court's hearing all the evidence in the case, the court before which the case is pending entering the formal decree. Investigations are conducted by probation officers, but adoption proceedings are not included in the legal records of the juvenile court.

The act to provide for the care and detention of feeble-minded persons places jurisdiction in the circuit, county, and municipal courts of the State.[10] When, therefore, a delinquent or dependent child brought before the juvenile court appears to be feeble-minded, the judge may adjourn the proceedings under the juvenile court law and conduct the hearing on a petition under the act for the care and detention of feeble-minded persons.[11] This means that the juvenile court has jurisdiction over feeble-minded children only incidental to their being brought into court as dependent or delinquent children. For the sake of securing prompt action, the investigation department brings into court on a "feeble-minded" petition children called to their attention whom they think not only dependent or delinquent but feeble-minded as well, and children in a situation involving dependency are brought by the same process by social agencies before the court. No agreement has been made by the circuit, county, and municipal courts to concentrate these cases in the court of the juvenile court judge, and cases of feeble-minded children who are not dependent or delinquent are heard by other courts.

A recent amendment to the bastardy law provides that the juvenile court shall "with other courts of competent jurisdiction" have jurisdiction over all cases arising under the act.[12] The State's attorney has, however, refused to prosecute such cases before the juvenile court, and the court has not then exercised jurisdiction over this class of cases.[13] Bastardy cases are tried before the domestic-relations branch of the municipal court under authority of the law which created that court.[14] Juvenile court officers, however, investigate and present in the court of domestic relations bastardy cases in which the mother is under 18 years of age or in which the court has already obtained

[9] Hurd's Illinois Revised Statutes, 1919, ch. 23, sec. 183.

[10] Ibid., ch. 23, sec. 324.

[11] Ibid., sec. 341.

[12] The amendment was passed in 1919. Hurd's Illinois Revised Statutes 1919, ch. 17, sec. 4.

[13] Since the election of June 6, 1921, this opposition seems no longer an obstacle. The judge has up to the present writing (Dec. 1, 1921) taken no action to claim this jurisdiction, possibly arguing that unless additional resources are placed at the service of the court, the additional burden would be too heavy.

[14] Hurd's Illinois Revised Statutes 1919, ch. 37, sec. 265. "All suits of every kind and nature, whether civil or criminal, or whether at law or in equity, which may be transferred to it, by a change of venue or otherwise by the circuit court of Cook County, the superior court of Cook County or the criminal court of Cook County." But see Hosking *v.* So. Pac. Co. 243 Ill., 320, and P. *v.* Olson, 245 Ill., 288.

jurisdiction over the family through other elements of dependency or delinquency.

JURISDICTION OVER CHILDREN ACCUSED OF COMMITTING SERIOUS OFFENSES.

Under a provision of the juvenile court law defining a delinquent child as a boy under 17 or a girl under 18 who "violates any law of this State,"[15] the juvenile court is apparently given jurisdiction in all cases of children within those ages, however serious the offense with which the child may be charged. The law provides, moreover, that if a child is taken before a justice of the peace or police magistrate, "it shall be the duty" of such justice or magistrate to transfer the case to the juvenile court.[16] This jurisdiction has, however, never been acknowledged by the prosecuting authorities, and a concurrent jurisdiction is exercised by the criminal court of Cook County in the trial of children charged with serious offenses. The chief probation officer, in his annual report for 1920, made the following statement:[17]

> During the past year there have been a number of cases in which, following the filing of a petition in the juvenile court and while the case was still pending, an indictment has been voted by the grand jury, followed by a hearing in the criminal court. The interesting thing is that after weeks and months of delay, during which time the child was held in the county jail, the criminal court has in each of the cases either referred the case to the juvenile court for disposition or has entered an order placing the child under probation to the adult probation department. The probation orders could have been arrived at with quite as much force and by a much simpler process under the juvenile-court law.
>
> The attitude of State's attorneys in the past has usually been that juvenile-court action in cases in which crimes were committed has been only through the suffrance of the State's attorney; that in any cases which he chooses to characterize as "serious," he might take action in the criminal court. This situation is one which it is hoped may be settled at an early date by a ruling of the criminal court or by a supreme-court decision.

In the case of a 16-year-old boy, for example, who, early in 1921, was charged with the theft from a bank of $700,000 worth of bonds, a petition was filed in the juvenile court. The State's attorney, however, is reported to have said in answer to a proposal that the case be heard in the juvenile court, "This is a criminal case, and the boy will be tried in the criminal court, regardless of his age. And I believe in speedy trials, too."[17a] The grand jury was therefore directed to take up the case, and two indictments were voted, one charging embezzlement, and the other larceny. The result of the

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[15] Hurd's Illinois Revised Statutes 1919, ch. 23, sec. 169.
[16] Ibid., sec. 178.
[17] Charity Service Reports, Cook County, Ill., 1920, p. 243.
[17a] Chicago Daily Tribune, Feb. 20, 1921.

trial in the criminal court was a failure of the jury to agree, and a motion was granted for a new trial.[17a] The judge made no claim to exclusive jurisdiction either in this or in other cases to which the chief probation officer refers. This inactivity on the part of the judge is due undoubtedly to a doubt on his part as to the interpretation the supreme court would put upon the law should the issue be squarely raised and to a hesitation to sacrifice a young person to the confusing and demoralizing experience of being handled by two sets of authorities. His view of what the law should clearly state is expressed in a report made by a committee appointed in 1920 by the director of the department of public welfare and signed by the judge with other members of the committee[18] to the effect that "the circuit, county, and juvenile courts be given original and *exclusive* jurisdiction in all cases coming within the act entitled 'An act to regulate the treatment and control of dependent, neglected, and delinquent children.'"

AGE GROUPS.

The juvenile court law provides that all persons under the age of 21 shall be considered wards of the State and shall be subject to the care, guardianship, and control of the juvenile court.[19] The law then proceeds in its definition of the dependent and delinquent child to include any boy under 17 and any girl under 18. Thus jurisdiction attaches only to the earlier ages, but once obtained may be exercised until the child becomes 21.[20]

As a matter of fact, it is not the policy of the court to exercise this jurisdiction in the cases of boys between 17 and 21. That is, whenever a boy of 17 or 18 already on probation commits a new offense, it is the policy of the court to allow him to be proceeded against in the criminal court[21] rather than to attempt again to deal with him. The officers of the court are of the opinion that if probation under juvenile-court officers has not been effective when the boy was younger, it is not likely to be effective as the boy grows older.

[17a] The second trial came to an end May 19, 1922, with a second failure of a jury to agree. Chicago Daily Tribune, May 20, 1922.

[18] Report of the Illinois Department of Public Welfare Children's Committee (December, 1920, p. 10.)

[19] Hurd's Illinois Revised Statutes 1919, ch. 23, sec. 169.

[20] The Hotchkiss committee in 1912 apparently supported this interpretation and urged that the age of obtaining jurisdiction be raised to 21: "The committee feels that the provisions of the juvenile-court law should be amended so that any person under the age of 21 years, regardless of previous contact with the court, may be brought into the juvenile, rather than the police court. At present we have the anomalous situation of a boy of 19, who has never been brought before the juvenile court, arrested and forced to associate in the police court with the worst criminals in the community, while a boy with a long record in the juvenile court, evades police jurisdiction by virtue of this court record. In other words a premium is placed on getting a juvenile court record."—(Juvenile Court of Cook County, Illinois—Report of a Committee appointed under Resolution of the Board of Commissioners of Cook County, p. 25.)

[21] This may be the boys' court—a branch of the municipal court—a lower court dealing with misdemeanants if the offense be committed outside Chicago, or the criminal court of Cook County.

JURISDICTION OVER ADULTS.

The juvenile court has no jurisdiction over adults except in so far as an order may be entered requiring a parent to contribute to the support of a dependent child committed to an institution. In such cases the court may enforce its order by requiring deductions from wages and by punishment for contempt of court. This lack of jurisdiction over adults will be discussed at a later point.[22]

[22] See p. 103.

THE ADMINISTRATIVE PROBLEMS OF THE COURT.

In order that the administrative problems of the juvenile court may be understood it is necessary to supplement the definitions of the various types of cases placed under its jurisdiction and to know the number of children brought into court, the relative numbers in the various groups, the conditions in the home and in the community making it necessary for them to be brought into court, and the differences among the various groups that demand differences in the method and treatment. It is difficult, for various reasons, to discover these facts, but certain data have been assembled for the purpose of illustrating the nature of the court's problems and the weight of its burden.

NUMBER OF CHILDREN BROUGHT INTO COURT.

During the first 21 years of the court's existence—that is, prior to July 1, 1920—79,000 children were brought into court.[1] It is impossible, however, to determine without laborious tabulation the number of children who have been handled by the court in each of these years. The total number during the period is the only information that can be given regarding children as distinguished from cases, since the statistics published by the court deal with cases rather than with children. A child may be brought before the judge several times in the same year and may be counted three, four, five, or possibly six times as a case, the number of repetitions varying considerably with the class of case. Thus, it must be remembered that whenever figures from the annual reports of the court are quoted in the following pages they represent cases, not children. From a social point of view this is unfortunate, since it would be desirable to know the facts in their relationship to child life in general. From an administrative viewpoint, however, the case is perhaps more significant, since it represents a certain amount of machinery set in motion each time a child is before the court.

Table I shows the numerical importance of the various types of cases heard by the court during the five-year period from December 1, 1914, to November 30, 1919.

[1] This figure was obtained from the docket numbers. It is customary to give the same number to a child even if he is brought into court again after a release.

TABLE I.—*Class of case; cases heard by the juvenile court, 1915–1919.*[1]

Class of case.	Cases heard by the court.	
	Number.	Per cent distribution.
Total	37,881	100.0
Delinquency	15,143	40.0
Dependency	10,631	28.1
Truancy	2,327	6.1
Aid to mothers	9,470	25.0
Feeble-minded	310	0.8

[1] Compiled from figures for fiscal years ending Nov. 30. Charity Service Reports, Cook County, Ill., 1915–1919. For 1920 the figures are as follows: Delinquency, 2,550; dependency, 1,262; truancy, 556; aid to mothers, 3,245; feeble-minded, 58. For 1921 they are: Delinquency, 2,415; dependency, 1,292; truancy, 648; aid to mothers, 1,429; feeble-minded, 69.

As to the problems especially characteristic of these separate groups, the annual reports of the court give little information other than the ages of children, the disposition of cases, and the offenses of delinquent children.

No attempt will be made here to describe the children included in the groups of cases under the acts covering aid-to-mothers, truant, and feeble-minded jurisdiction.[2]

PROBLEMS RELATING TO THE DELINQUENT CHILD.

With regard to the delinquent children, a study of the delinquent wards of the court during the first 10 years of the court's existence found that the problems of the delinquent child were primarily problems of immigrant adjustment, of poverty, of the broken, the degraded, and the crowded home, of school and neighborhood neglect, and only secondarily and to a very slight extent, of the unmanageable child in the midst of favorable circumstances.[3]

Among the cases of delinquent children by far the greater number are boys. Table II shows for the five-year period, 1915–1919, 11,799 cases of delinquent boys and 3,344 cases of delinquent girls. The greater number of boys is in part the result of different methods of investigation which will be discussed at a later point, and in part due to the method of reporting cases rather than children, since the boys tend to repeat oftener than girls. It is, also, a matter of difference in character of offense, as the girls are seldom brought to

[2] For mothers' pension cases, see Abbott, Edith, and Breckinridge, S. P.: Administration of the Aid-to-Mothers Law in Illinois. Children's Bureau, Publication No. 82, Washington, 1921.

For cases of truant children, see Abbott, Edith, and Breckinridge, S. P.: Truancy and Nonattendance in Chicago Schools. University of Chicago Press, Chicago, 1917.

For mental defectives, see Healy, William: The Individual Delinquent. Little, Brown & Co., Boston, 1915; and Mental Conflicts and Misconduct. Little, Brown & Co., Boston, 1917.

[3] Breckinridge, S. P., and Abbott, Edith: The Delinquent Child and the Home, Chapters III–X, Charities Publication Committee, New York, 1912.

court for childish pranks or gang depredations but nearly always for serious immorality, which necessitates immediate and vigorous action.

While the law names no lower age limits for juvenile-court jurisdiction, the State schools for delinquent boys and girls can receive no children under 10 years of age. All children under that age are therefore treated as dependent rather than delinquent, unless the child's experience has been such that he can not be placed with dependent children. For this reason Table II, which presents the ages of delinquent children, shows only one case of a delinquent child under 10 years of age.[4]

TABLE II.—*Age, by sex of child; delinquency cases heard by the juvenile court, 1915–1919.*[a]

Age of child.	Delinquency cases heard by the court.			
	Number.		Per cent distribution.	
	Boys.	Girls.	Boys.	Girls.
Total	11,799	3,344	100.0	100.
9	.....	1	.....	(b)
10	350	36	3.0	1.1
11	697	55	5.9	1.7
12	1,104	120	9.3	3.6
13	1,517	236	12.9	7.1
14	2,415	501	20.5	15.0
15	2,683	787	22.7	23.5
16	2,973	855	25.2	25.6
17	c 59	730	0.5	21.8
18	c 1	c 21	(b)	0.6
19	.....	c 2	.....	(b)

[a] Compiled from figures for fiscal years ending Nov. 30. Charity Service Reports, Cook County, Ill., 1915–1919. For 1920 the figures are: Boys, 1,912; girls, 638. For 1921 they are: Boys, 1,754; girls, 661.
[b] Less than one-tenth of 1 per cent.
[c] Jurisdiction obtained at prior hearing before juvenile-court age limit was reached.

A difference in grouping of boys' and girls' cases might be expected from the difference in age limitation defined by the law—16 for boys and 17 for girls. The wider range exhibited by the girls' cases is therefore of no significance. There is, however, more concentration toward the upper age limit than in the case of the boys. Table II shows, for example, that 31.1 per cent of the boys were under 14, while only 13.5 per cent of the girls were so young. This again is in part the result of the differences in the character of offense, as shown by Table III.

[4] It is not possible to say definitely, but for this child it is probable that a dependent petition was substituted at a later date for the delinquent petition.

TABLE III.—*Offense, by sex of child; delinquency cases heard by the juvenile court, 1915–1919.*[a]

Offense.	Delinquency cases heard by the court.			
	Number.		Per cent distribution.	
	Boys.	Girls.	Boys.	Girls.
Total	11,799	3,344	100.0	100.0
Stealing	8,067	397	68.4	11.9
Incorrigibility	1,900	1,387	16.1	41.4
Malicious mischief	605	5	5.1	0.1
Assault	509	19	4.3	0.6
Immorality	234	1,467	2.0	43.9
Miscellaneous offenses	484	69	4.1	2.1

[a] Compiled from figures for fiscal years ending Nov. 30. Charity Service Reports, Cook County, Ill., 1915–1919. For 1920 the figures are: Boys, 1,912; girls, 688. For 1921 they are: Boys, 1,754; girls, 661.

The offense, as given in this table, is never stated in the records as a formal charge against the child; but, as pointed out in the report of the chief probation officer, "is the conclusion of the statistical clerk after reading the complaint in the history sheet for each case."[5] The results shown in the table are therefore open to question because of the vagueness of the terms, the possible variation in classification, the method of classifying when there are two or more offenses, and the inadequacy of the history sheet itself. Nevertheless, the general results compare fairly closely with those presented in "The Delinquent Child and the Home,"[6] in which the classification was based on a careful reading of the whole case record and in which attention was given to a child accused of two or more offenses. The differences in the results, moreover, may be largely due to the classification by children in one table and by cases in the other.

Stated in general terms as they are, the list includes offenses of varying degrees of delinquency. Under the head of stealing have been grouped all the offenses that the court has separated into larceny, burglary, and robbery, as well as particular kinds of theft, such as the taking of automobiles or mail or stealing from railroad cars. Burglary, larceny, and robbery, however, may be used to describe a great many offenses connected with the taking of property, from the theft of a newspaper at the door to taking merchandise worth several hundred dollars from a store. This group of offenses against property is the most important class of offenses among the boys and contains 68.4 per cent of the cases.

The list of the girls' offenses presents a marked contrast to that of the boys: Nearly 44 per cent of the girls were brought into court for

[5] Charity Service Reports, Cook County, Ill., 1919, p. 263.

[6] Breckinridge, S. P., and Abbott, Edith: The Delinquent Child and the Home, p. 39, Charities Publications Committee, New York, 1912 (see special discussion pp. 27–30).

"immorality," meaning always questions of sex experience. Another 41.4 per cent were brought in for "incorrigibility," a term used whenever possible in girls' cases to avoid accusation of immorality, but very often indicating either suspected immorality or the danger of its development.

PROBLEMS RELATING TO THE DEPENDENT CHILD.

Very little information regarding the problems of the dependent child is available, except for age, number of times in court, and disposition of cases. The annual reports of the court give only an inadequate classification of home conditions. The problem is often a complicated one; and yet only one circumstance, such as a "drunken father" or "feeble-minded mother," is set down for each child. It is, however, entirely possible to have in the same family a combination of factors, such as both a drunken father and feeble-minded mother. Moreover, no extensive study of case records of dependent children has ever been made. It is, therefore, impossible to state with assurance what children constitute the group termed "dependent."

The ages of dependent children are shown in Table IV. Among these children no appreciable differences are found between the age distributions of the girls and of the boys. The table is therefore presented for both sexes combined.

TABLE IV.—*Age of child; dependency cases heard by the juvenile court, 1915–1919.*[a]

Age of child.	Dependent cases heard by the court.	
	Number.	Per cent. distribution.
Total	10,631	100.0
Under 7 years	4,137	38.9
7 years, under 14	5,661	53.2
14 years, under 16	699	6.6
16 years and over	134	1.3

[a] Compiled from figures for fiscal years ending Nov. 30. Charity Service Reports, Cook County, Ill., 1915–1919. For 1920 the figures are: Dependency cases, 1,262. For 1921 they are: Dependency cases, 1,292.

It appears that during the five-year period 1915–1919 more than one-third, 38.9 per cent of the dependent children, were under 7 years of age; more than one-half, 53.2 per cent, were 7 and under 14; and very few, only 7.9 per cent, were 14 and over. This is in marked contrast to the group of delinquent children, none of whom were under 9 and a large majority of whom were 14 and over—68.9 per cent of the boys and 86.5 per cent of the girls.[7]

[7] See Table II, p. 19.

The juvenile court law uses the two terms "dependent" and "neglected" as applicable to the same group of children. It might have been possible to assign certain clauses in the definition implying destitution to a "dependency" classification and others implying the presence of degrading influence to "neglect." Had this been done, a study of the records might more easily have revealed the relative numbers of the two groups. Such a classification has not been made, however, and it has been the custom of the court to call all the children brought in under this section "dependent."

How far the court is concerned with cases involving poverty only, it is therefore impossible to say. The group of children of widowed mothers who formerly might have formed a large part of the group of dependents are now, of course, cared for by the aid-to-mothers division [8] of the court. It was never the policy of the court, however, to break up a family on account of poverty only; such examination of the records as has been made indicates that the pension group is a group of children different from those treated under the dependency clause, the only type of case involving destitution alone handled under the dependency definition being that of the child both of whose parents are dead or permanently incapacitated and whose relatives are too poor to assume the responsibility for his care. And this seems to be a rare type of case, for the situation is usually complicated by the incompetence or the neglect of the relatives or of the neighbors who assume the care of children left alone by the death or incapacity of their parents.

Such a case of neglect, for example, was that of four children, three girls and a boy, aged 16, 14, 10, and 6, all the victims of active tuberculosis. The parents were both dead, and the children lived with a young married sister. But her husband worked irregularly, and she was careless about their illness and failed to see that they went regularly to the free dispensary for treatment.

Another case illustrating the fact that with destitution are often found elements of degradation is that of two girls, 15 and 8 years old, and a boy of 13, whose parents were both in a State hospital for the insane. An older sister assumed responsibility for them, but she was only 24 years of age, was divorced, and was suspected of being a prostitute. The 15-year-old girl, lacking the control and help needed, became delinquent before the court's attention was again called to the family.

In some cases illness combines with poverty to prevent the parents from fulfilling their responsibilities to their children.

Such a case was that of four children, all under 13. The mother had died of tuberculosis, and the father, though himself able to work only irregularly because of tuberculosis, was trying to keep the family together. In the end it was necessary for him to go to a sanatorium and to allow the court to make provision for the children.

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[8] "Mothers' pension division" since enactment of amending law, June 29, 1921. Illinois Laws, 1921, p. 162.

When both parents are living, it is often some neglect on their part that brings the child into court. The neglect, however, may be quite unintentional and the result of ignorance or of sheer inability to meet the situation.

For example, in the case of two Lithuanian children, a girl of 11 and a boy of 8, the mother was a paralytic and had been in the county hospital for months. The father worked in the steel mills 12 hours a day. The children had not been in school all year and were alone all day, doing whatever housework was done.

Perhaps the commonest form of neglect is the desertion of the children by one or by both parents. Neither the deserted wife nor the unmarried mother is eligible to aid under the aid to mothers law. A mother whose husband deserts, leaving her to support several small children, may be able for a time to hold the family together, but if sickness comes or a time of unusual strain, the only course open to her may be to place the children in an institution, and for this purpose she appeals to the court. The child of the unmarried mother frequently becomes "dependent" in the same way.

If the mother is dead, the father finds it even more difficult than the mother to take the place of both parents. Leaving the children with relatives often seems the easiest solution of the problem, but it is not always a satisfactory solution.

Such a case was that of a 12-year-old dependent girl found living with her maternal grandmother and aunt in a house of prostitution. Her mother was dead; her father had married again and had other children. He had allowed the grandmother to keep the little girl. He seldom saw her, and he knew nothing of the conditions in the home.

When the mother has died, the father sometimes attempts to meet the needs of the family by employing a housekeeper. This often leads to friction with the older children and sometimes to irregular sex relationships. It is not then surprising that many fathers who are not very vigorous, despair of finding a way out and, lacking a keen sense of responsibility, desert the home and abandon the children to the mercy of the community. The burden in these cases may fall on older children who are still too young to be expected to assume the cares of a large family, or who already have families of their own. The court is often called upon to assist in the adjustments necessary in situations of this kind.

One father, for instance, deserted six children a few years after the mother's death. He had a housekeeper for a time, who lived with him as his wife, but the children objected, and he finally left home. The 22-year-old married son, who had tuberculosis, was trying to care for a sister of 15 and three brothers of 12, 10, and 8; but his wife's illness made it necessary for him to ask the court to find homes for the children.

Desertion on the part of the mother is probably less common than on the part of the father. There is, however, no reason to believe that if left alone the mother assumes the double burden more willingly than the father whose wife has left him. The mother who deserts is usually one who runs away with another man, leaving the children with their father. The situation that the father must meet is more difficult than that caused by a mother's death, for his sense of responsibility is naturally weakened by her defection and by the feeling that he is after all not entirely to blame for what may happen to the children.

In the case of five children under 14 whose mother deserted, nothing seemed possible but to distribute the children among relatives and institutions.

So far the cases cited have illustrated a comparatively simple form of neglect, that caused by the desertion of one or both parents. More difficult to handle are those cases in which the parents are either incompetent through physical or mental defect or are actually so degraded as to be a menace to the well-being of the children. The presence of mental defect and of tuberculosis is frequently the dominating factor in the situation.

A mother of nine children was found to have a mental age of 11 years. Two of the younger children had glandular tuberculosis, but all the social agencies who had been interested in the family had found it impossible to impress upon her the necessity for sending the children to the dispensary. An 18-year-old daughter was mentally subnormal and became delinquent. The 17-year-old son was in court several times for stealing and was finally committed to the house of correction for burglary. The 13-year-old boy was a truant and stole property from the school. The home was dirty and disorderly. The father seemed no more competent to manage the family than the mother.

It is often particularly difficult in the absence of vigorous control by the health authorities to enforce parental responsibility for the health of the children.

A deserted mother who had pulmonary tuberculosis in such an advanced stage as to be a menace to the health of her three children, aged 7, 5, and 1, finally consented to go to a county sanatorium, where the children were also to be treated for glandular tuberculosis; but when the ambulance arrived she managed to escape, taking the baby and deserting the other two children.

Somewhat special cases are those in which parents try to dispose of their children in return for money.

In one case, an Italian mother was deserted by her husband just before the birth of her second child. The first child was only 14 months old, and she allowed the doctor to give the second baby away. Complaint was made to the court that the baby had been given to a colored woman who kept a disorderly house. The baby was placed for a time in an institution, then given back to the mother. Later, however, the mother gave the child to the same woman on

her promise to pay $500. Needless to say the mother never received the $500; but the baby had been removed from the court's jurisdiction, and months of effort on the part of the court failed to locate the child.

From the citation of these cases it will be seen that the problem of the dependent child is a problem into which enter a number of complicating and interrelated factors—destitution, sickness, mental defect, moral degradation, desertion, ignorance, incompetence, and neglect. It is the problem of the juvenile court to break the vicious circle of poor inheritance, lack of training, and social neglect that often characterize the experience of the parents and to lift the dependent children out of circumstances that cause suffering and deprivation or that may lead to delinquency.

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ORGANIZATION OF THE COURT.

THE JUDGE.

The judge of the juvenile court is one of the 20 judges of the circuit court of Cook County. As such, he is elected by popular vote for a term of six years and is selected as a judge of the juvenile court by vote of all the circuit court judges of the county. He receives a salary of $12,000 a year, paid half by the State and half by the county. The selection may, by law, be made "at such times as they shall determine,"[1] but it has been the practice of the circuit court judges in Chicago to continue to select the same person as judge of the juvenile court as long as he remains in office or as long as he can be persuaded to serve. During the 20 years of its existence only four judges have presided regularly over the juvenile court.[2]

A number of other judges, however, have presided over the court temporarily. When the judge of the juvenile court is on vacation, ill, or necessarily absent from the bench for some other reason one of the other judges of the circuit court hears juvenile cases. Since 1919, moreover, when the work became too heavy for one judge, the judge of the juvenile court has devoted one week in each month to the hearing of contested cases and to special administrative work and during that week another judge sits in his place. That judge is from another circuit and was designated by the supreme court, and so far as possible he acts in all cases in which the judge of the juvenile court can not be present. When he is unable to sit, other judges have to be called in, and they are designated by the circuit court. The hearings, naturally, are noticeably different when one of the judges less experienced in juvenile court work is on the bench. In general, however, the presiding judge is disposed to recognize that he is sitting only as a substitute and to rely upon the probation department for guidance or to continue the more difficult cases until the judge of the juvenile court returns.

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[1] Hurd's Illinois Revised Statutes, 1919, ch. 23, sec. 171.

[2] Hon. Richard S. Tuthill, who served from July 1, 1899, to June 30, 1905, and from July 1, 1907, to June 30, 1908; Hon. Julian W. Mack, from July 1, 1905, to June 30, 1907; Hon. Merritt W. Pinckney, from July 1, 1908, to June 30, 1916; and Hon. Victor P. Arnold, from June 30, 1916, to the present time.

The duties of the judge are both administrative and judicial, but whether or not he takes an active part in the administrative affairs of the court depends somewhat upon his own inclination, for he is given power by law to intrust to the probation department all administrative duties. That it is possible for him to retain the direction of general policies is shown by the testimony of Judge Pinckney [3] before the county civil service commission. When, however, the judge is called upon to hear more than 8,000 cases in a year, an average of 30 cases a day, 5 days in the week, it is obviously impossible for him to attend to administrative details. In practice, then, the judge is responsible for the formulation of important general rules of administration, and the actual carrying out of policies is left to the probation staff.

The personality and the high qualifications necessary for a judge of the juvenile court have often been stressed. Judge Mack, formerly judge of the Chicago court, in speaking of the training necessary for the judge, says:

> The public at large, sympathetic with the work, and even the probation officers who are not lawyers, regard him (the judge) as one having almost autocratic power. Because of the extent of his jurisdiction and the tremendous responsibility that it entails, it is, in my judgment, absolutely essential that he be a trained lawyer, thoroughly imbued with the doctrine that ours is 'a government of laws, not of men.' He must, however, be more than this. He must be a student of and deeply interested in the problems of philanthropy and child life as well as a lover of children. He must be able to understand a boy's point of view and ideas of justice; he must be patient and willing to search out the underlying causes of the trouble and to formulate the plan by which, through the cooperation, ofttimes of many agencies, the cure may be effected." [4]

The Chicago court has been particularly fortunate in its judges, who have been remarkably free from political influence and have fulfilled as nearly as can be expected the conditions mentioned above. The judge now sitting is said to have an extraordinary patience, sympathy, and capacity for inspiring confidence. It is said that his decisions are rendered after a hearing so fair, gentle, courteous, and firm that they seem to all parties inevitable and conclusive.

WOMAN ASSISTANT TO THE JUDGE TO HEAR CASES OF DELINQUENT GIRLS.

The juvenile court law makes no provision for the appointment of a woman to hear cases of delinquent girls. The difficulties of hearing

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[3] Breckinridge, S. P., and Abbott, Edith: The Delinquent Child and the Home, Appendix II, Charities Publication Committee, New York, 1912.

[4] Mack, J. W., "Legal problems involved in the establishment of the juvenile court," in Breckinridge, S. P., and Abbott, E.: The Delinquent Child and the Home, Charities Publication Committee, New York, 1912, p. 198.

girls' cases in open court, however, led the judge in 1913 to recommend to the county board the creation of a probation officer's position which might serve such a need. The judge was given authority to appoint a woman, who is known as assistant to the judge but has the legal status of a probation officer. The woman appointed was a lawyer who had been for a number of years public guardian. She has served as assistant to the judge from 1913 until the present time. As probation officer she has no power to render a decision in any case, but issues an opinion in the form of a recommendation to the judge, which in practice is rarely reversed.

The adoption of this policy gave rise to certain criticism, however, and in 1915 complaint was made to the grand jury that cases were decided by the assistant, who was sitting "without warrant of law" and holding a "mock court." The result was, nevertheless, a cordial indorsement of the plan, for after hearing many witnesses and after an investigation of the administration of the court by a committee of its members, the grand jury reported to the criminal court of Cook County [5] that, while it was incompetent to pass upon the legality of the work of the assistant to the judge, it felt that "it would be highly desirable to amend the juvenile court act so as to remove all doubt as to the powers and duties of the woman assistant to the presiding judge. * * * It desires, however, to commend in the strongest terms the idea that cases of delinquent girls should be held, as at present, as privately as possible before a competent court."

THE PROBATION DEPARTMENT.

Appointment and discharge.

Probation officers, as before stated, are appointed by the judge of the juvenile court on the basis of competitive examination. In general no minimum educational requirements are specified, but the committee in charge of the examination may refuse to recommend anyone who fails in the particular examination to give evidence of a certain educational standard.

While this method of selection and appointment has been strictly adhered to, there had, until October 4, 1921, been no similar provision for facilitating the discharge of officers who eventually prove to be unfit for service. It is, of course, a defect of many civil-service systems that the provision for the discharge of incompetent persons is ineffective. The civil service law usually contains a provision for dismissal after a formal hearing on a specific charge of misconduct or incompetency. The Chicago court has established no substitute for this civil-service method. Hence, the exercise of his unquestioned power of dismissal brings upon the judge the entire odium result-

[5] Charity Service Reports, Cook County, Ill., 1915, p. 224.

ing from the dismissal, and he may hesitate, for various reasons, to dismiss incompetent persons.[6] As a matter of fact, only one dismissal and one suspension upon a charge of incompetency have occurred since the dismissal of the chief probation officer in 1911.

Number.

The number of probation officers is determined each year by the circuit judges. At the present time[7] the staff numbers 145 persons—17 civil-service appointees, 26 police probation officers paid by the city of Chicago, and 102 probation officers paid by the county. Among those designated as probation officers are the woman who acts as assistant to the judge, hearing cases of delinquent girls, and the chief probation officer, who is responsible for the direction of the entire staff. Under him are a deputy chief probation officer and 5 assistant probation officers who act as heads of the investigation division, the family supervision division, the delinquent boys' division, the child-placing division, and the aid to mothers' division. Eighty-three assistant probation officers are assigned to these various divisions. Eleven others are assigned to special work and would not ordinarily be considered probation officers. They include a psychologist working with the Institute for Juvenile Research, the secretaries to the judge and to the assistant to the judge, a nurse connected with the court dispensary, four court reporters, two interpreters, and an officer whose function is to see that orders of the court for payment of support are enforced. The 17 civil-service employees are clerical assistants.

Of the 90 officers who carry on the work usually regarded as probation work, 75 are women and 15 are men. Twenty-six were appointed before 1913 and were reappointed without further examination when the portion of the law under which they had been ap-

[6] On Oct. 4, 1921, however, the following actions on the part of the chief probation officer were authorized:

Suspensions.—The chief probation officer to have authority to suspend any assistant probation officer for a definite period without pay, not to exceed 30 days, by notifying the officer of his suspension either verbally or in writing, and at the same time submitting to the judge of the juvenile court a written statement reciting the name of the employee, the date of suspension, the period thereof and the cause therefor, and in case the suspension is to be followed by charges, a request for discharge or removal. The officer shall have the right to appeal to the judge within 5 days of the date of the suspension.

Removal and discharge.—In case request is made for removal or discharge of any assistant probation officer, written notice of the filing of charges against the officer shall be given to him stating specifically the facts alleged to constitute the cause for removal. A written reply to the charges may be made by the officer to the judge within 5 days.

Causes for removal or discharge.—(1) Has violated a lawful and reasonable departmental order publicly posted in the department.

(2) Has failed to obey a lawful and reasonable direction made and given him by his superior officer where such failure amounts to an act of insubordination or serious breach of proper discipline, or resulted or might reasonably have been expected to result in loss or injury to a child.

(3) That he fails to perform properly the duties of his position.

[7] The fiscal year ending Nov. 30, 1921.

pointed was declared unconstitutional; the other 64 have obtained their positions by passing one of the competitive examinations held by the court itself.

Salaries.

The juvenile court law provides for the payment of the salaries of the probation staff by the county board of commissioners. This means that the amount of the salary is determined by the county board, although the number of officers is determined by the circuit judges and appointment is in the hands of the juvenile court judge. The payment of all salaries depends, of course, upon appropriations of the county board of commissioners. Thus, as in the case of funds for mothers' pensions, the juvenile court is dependent upon a separate and at times hostile department of the government for the provision of funds to establish a competent and sufficient force of probation officers. The complaint is frequently made that the court can not get better trained officers, particularly men, because the salaries paid do not measure up to those in allied professions, nor in some cases to those having a more political character. The salary of the assistant to the judge is at present [8] $5,500 a year; that of the chief probation officer, $3,300; of the deputy chief probation officer, $2,400; of heads of divisions, $2,196; of district officers, $1,788, out of which "field expenses" are paid.[9] To be sure, the salaries of heads of divisions and district officers compare favorably with the salaries of private case-work agencies doing similar work. For example, the district superintendents of the United Charities receive from $1,680 to $2,000 and visitors from $1,080 to $1,680. But these positions are largely held by women; the positions are notoriously underpaid, and those organizations, too, suffer from excessive "labor turnover."

Organization.

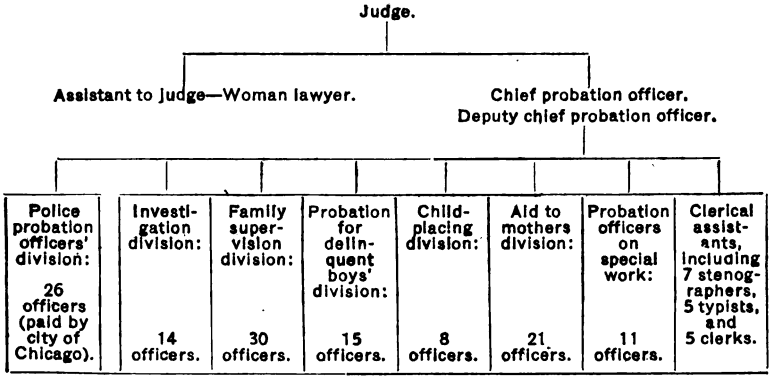
The organization of the probation department is necessarily somewhat complicated. The chief probation officer is the administrative head of the department responsible for carrying out such policies of the organization as have been agreed upon with the judge for the general supervision of the entire staff, for securing cooperative relations with other agencies, etc. The deputy chief probation officer assists the chief probation officer in the discharge of his administrative duties and in the general supervision of the work of the probation officers. In addition, the deputy chief probation officer acts as chairman of the committee that investigates all cases of dependent

[8] Fiscal year ending Nov. 30, 1921.

[9] Two of the officers who have charge of farm placements receive $19 per month extra for field expenses. Tickets to outlying districts are furnished to any of the officers and paid for as office expenses. Ordinary carfare is, however, paid by the officers.

and neglected children before they are brought into court, receives all applications for the release of delinquent children who have been committed to institutions, and handles the correspondence in the cases of nonresident children who are brought to the court's attention.

ORGANIZATION OF THE PROBATION DEPARTMENT.



The assignment of the probation officers to the various divisions is generally based upon the principle of specialization of function, although as will be seen from the later discussion there are many points at which this principle can not be applied. The investigation division with 14 officers has charge of the investigation of all complaints made directly to the court. The family supervision division includes 30 officers who supervise dependent children and delinquent girls placed on probation in their own homes. The delinquent boys' division with 15 officers is responsible for the probation of delinquent boys; the child-placing division with 8 officers secures family homes for dependent children and delinquent girls removed from their own homes but not committed to institutions; and the aid to mothers division with 21 officers investigates and supervises all mothers' pension cases. The accompanying chart indicates the organization of the probation department.[10]

Within the divisions the work is organized in the main along territorial lines, with each officer responsible for the cases in a given district. This system, however, is not uniformly followed. In the investigation division, for example, one officer has developed such skill in handling cases in which delicate moral situations are involved that all such cases are now assigned to her; in the family supervision division two officers devote all their time to follow-up work with the families of children committed to manual-training and industrial schools; and in the delinquent boys' division two officers have entire charge of farm placements.

[10] Chart from Charity Service Reports, Cook County, Illinois, 1918, p. 206 (figures brought up to date).

In addition to the two interpreters mentioned, whose work is in the courtroom, the probation staff includes officers speaking Polish, Hungarian, Italian, German, Lithuanian, and most of the Slavic dialects. Under the district system a foreign-speaking officer is assigned to a district in which his language is prevalent. This does not mean, however, that all foreign-speaking officers supervise only foreign-speaking families or that all foreign families are assigned to officers of their own nationality. Of the five negro officers, however, four work exclusively with negro families.

All the territory in the county outside the limits of the city of Chicago is included in the regular probation districts with the exception of four towns lying to the north. In one of these the secretary of the associated charities acts as truant officer and also takes charge of all dependent and delinquent cases. She is paid by the town and is commissioned as a volunteer probation officer by the juvenile court. The truant officer in another town and the township supervisor of the poor in each of the other two act as volunteer probation officers. All these officers take charge of all police cases, bring children to the detention home, and perform all the functions of the regular county probation officers.

Except in these towns, cases outside the city of Chicago which are reported to the court by police officers are investigated by officers of the investigation division. Most such cases, however, have already been dealt with by justices of the peace and are formally transferred by them to the juvenile court. Children in these districts are placed on probation to the regular probation officers of the juvenile court.

Police probation officers.

The police probation officers form a distinct division of the probation staff. The chief of police has assigned 26 of these officers paid by the city to the juvenile court. They work under the immediate direction of one of their number; but inasmuch as they receive commissions as probation officers from the juvenile court, they are also brought under the supervision of the chief probation officer. In 1899, when the judge of the juvenile court requested the assignment of police officers, such officers met a very real need that could not have been met otherwise. Whether or not it is wise to retain them now that higher standards of work have been developed and better trained officers have been secured by the court is open to question. Two reasons, however, for perpetuating the system are: First, the volume of work which is very great in proportion to the size of the staff: second, the fact that complaints, particularly of delinquent boys, will probably always be made at police stations, and it is well to have a certain officer from each station assigned to handle juvenile cases so that he will receive some supervision from the probation office and become familiar with juvenile court procedure.

The police probation officers are assigned to police districts and within those districts perform some of the functions of the regular juvenile court probation officers. Their duties, however, are now narrowly restricted. They receive complaints filed at police stations, investigate the cases involved, file petitions and appear in court with the children to present the case. They are not allowed to do any probation work, and cases continued under supervision are always assigned to the regular probation officers. The police probation officers wear citizen's clothes and are not to be confused with the uniformed police force of the city, although they are under the authority of the chief of police. The principal importance of their work lies in the more intelligent handling of juvenile cases in the police stations and in the elimination of the uniformed police officer from the juvenile court room. Their work will be described at greater length in the section dealing with methods of investigation.[11]

RECORDS AND REPORTS.

Annual reports.

The chief probation officer and the matron of the juvenile detention home report annually to the board of commissioners of Cook County. These reports are published each year with the reports of other departments of the county government in the Cook County Charity Service Reports and separate reprints are issued as well.

The annual report of the chief probation officer contains a brief summary of the progress made during the year, the plans for the future, numerous statistical tables, and in some years a history of the court. In 1919, 38 of the 70 pages of the report were devoted to statistical tables. The character of this statistical information has improved within the last few years, at least from the point of view of accuracy, though errors are still not uncommon. The material selected for presentation is not, however, always that of the greatest value to persons interested in the condition of the children who become wards of the court. Tables such as those showing home conditions and offenses are compiled by statistical clerks after hasty reading of parts of the case records. These tables fail by their simplicity to give a picture of the very complicated conditions existing and are, therefore, likely to be misleading. The summary tables of children placed on probation and committed to institutions for each year since 1904 fail to agree with the figures given in other tables presented and seem to be of little value. Finally, the tables present information only for cases, never for children.

Case records.

The records of the juvenile court include not only legal papers but social records giving as completely as possible the information

[11] See p. 40.

that the court has obtained with regard to the child and the family. The legal papers, including the petition, the summons, the stenographic report of the hearing, and the judge's order regarding disposition, are in charge of the clerk of the circuit court and are filed in the vaults of the county building. They are public records open to any interested citizen.

The records of the probation department, however, the social records, are private records for the use of the court and are open to outsiders only upon the order of the chief probation officer. This order is usually granted to a representative of a recognized social agency interested in a particular case.

Case records for all the children in one family are kept in folder form, and filed alphabetically—delinquents and dependents in one file, mothers' pension cases separately. Formerly a separate record was kept for each child in court, but the duplication of reports and the cross references involved made the system too complicated for convenience.

These records, dealing sometimes with three or four children of the family, and covering considerable periods of time, become very bulky and difficult to read. They are arranged by sections. One part, for example, may contain all the hearings for all the children at various times, while another part contains the probation officer's reports of the progress of the case. They are difficult to disentangle for any one child or for any one period of time.

Active case records of dependent and delinquent children are filed together in a room devoted entirely to clerical work. Closed cases, pension records, and supervised-complaint records are kept in separate files in this room. Another file contains records of runaway children picked up in Chicago whose cases are investigated by the juvenile court.

Other records and forms.

In addition to the case records, the court keeps two card-index systems—one recording the name and disposition of every child who has ever been in court, the other a record of every case investigated but not brought into court. Besides these, a ledger is kept, in which are recorded the cases assigned each probation officer, the charge, the disposition, and the number of visits the officer makes to each child each month. From this ledger a monthly report is prepared for the chief probation officer and for the heads of divisions, showing for each officer the number of families under care, the total visits made by that officer in the month, and the number of families not visited. These reports are used as a check upon the officers to see that the minimum requirement of one visit per month to each family is fulfilled so far as possible.

PRELIMINARY PROCEDURE.

For the ordinary criminal procedure that might include, according to the seriousness of the offense, arrest by warrant, examination by a magistrate, holding to bail, possibly indictment, and finally trial by jury, the juvenile court process has substituted the less rigorous sequence of complaint, investigation, petition, summons, and an informal hearing. At any point in this process the child may be removed to a special place of detention or may be left at home without bail.

COMPLAINT AND PETITION.

The juvenile court law provides that a case may be brought to the attention of the court by a petition filed by any reputable citizen.[1] This applies to all classes of cases; and when a petition has been filed the case must be heard by the court, no matter what the result of the investigation. In order, then, to eliminate from the docket cases that really have no basis of fact or that could be easily adjusted without court action, the "complaint" system has been devised. That is, whenever "any reputable citizen" reports to the court a condition that, in his opinion, needs investigation, unless he insists upon filing a petition, he is encouraged to state the difficulty in an informal complaint. This gives the court an opportunity to make a preliminary investigation, and a petition is then filed by an officer of the court only if conditions found seem to warrant court action. It may be said that while this seems to place in the hands of the investigation division wide powers of discretion which the law contemplated bestowing upon the judge of the juvenile court, any person who feels aggrieved can insist upon filing a petition. Investigation is, moreover, one of the crucial points of juvenile court procedure; and if a child can be saved even from so informal an experience as a juvenile court hearing and record, the use of this device is highly desirable. The court has been hearing an average of 30 cases a day during the last few years; the immediate filing of a petition for every complaint would lay upon the judge an impossible burden.

INVESTIGATION.

It is the function of the investigation division to receive complaints and to make investigations. The division is theoretically

[1] Hurd's Illinois Revised Statutes, 1919, ch. 23, sec. 172.

responsible for all investigations; in actual practice, however, only cases of dependent children are handled exclusively by its officers. Some cases of delinquent girls are investigated by officers of the family-supervision division under the direction of the head of the investigation division. Cases of delinquent boys reported directly to the court are investigated by officers of the delinquent boys' division, also under the direction of the head of the investigation division; and cases of delinquent boys reported to the police, by far the greater number of delinquent boys' cases, are investigated and brought to court by the police probation officers with no report to the investigation division. Applications for mothers' pensions are investigated by the aid to mothers division, and truancy cases are investigated by the truant officers of the compulsory education department of the city board of education.

When cases are brought to the court by cooperating social agencies, the investigation by the agency is usually accepted by the court. This is particularly true of agencies whose representatives are commissioned as volunteer probation officers, such as the Juvenile Protective Association and the group of Jewish social agencies—including the Bureau of Personal Service and the Jewish Home Finding Society, of Chicago, now organized as the Jewish Social Service Bureau. The court records in such cases are often quite scanty, and it is difficult to say how adequate the investigations have been, particularly when the same agency is given the supervision of the case and when the only contact of the court officers with the case is the hearing.

Dependent children.

It is in the investigation of cases of dependent children that the court most nearly realizes its standards of work. These cases, as it has been said, are handled entirely by the investigation division. The first task of the division is the receipt of complaints and the elimination of all that are too trivial for attention and of those that do not belong to the juvenile court. Anonymous complaints are not received but are turned over to a voluntary organization, the Juvenile Protective Association. Except in the case of well-recognized social agencies complaints are not received by telephone but must be made in person at court, where they are received by a trained investigator, usually the head of the division, who can can tell whether the difficulty complained of is properly a matter for juvenile court concern, or whether it should be handled by some other court or agency. To pass judgment on the complaints as they are made requires a nice sense of discrimination, a knowledge of the resources of the community, both public and private, and a familiarity with juvenile court procedure. Approximately one-half of the complaints received

at the desk are disposed of without further attention by the division. Complaints received by mail are carefully studied by the head of the division and eliminated, referred to some other agency, or investigated, as the circumstances require. As a result of this preliminary scrutiny of complaints, the number of investigations undertaken is greatly reduced, and the time and energy of officers are saved for the most important work.

The complaints accepted are first "cleared" at the confidential exchange, known as the bureau of social registration, and a record made of all the social agencies that have known the family. The case, with the list of agencies already registered, is then assigned to an officer for investigation.

Upon receipt of the complaint slip the officer assigned to the case makes the kind of investigation that is made by any good case-work agency. The court is concerned not only with learing the truth or falsity of the allegations of the complainant but also with understanding the whole family situation. The names, ages, occupations, and earnings, or school and grade, of every member of the family are obtained so far as possible, and inquiries are made as to the names of relatives, the date of the parents' marriage, length of time in Chicago, housing conditions, and the family's moral status. The technique is that of a case-work agency, and the investigation must necessarily vary from case to case. The complainant, if he has not been interviewed in the office, is always consulted first and the family itself is always visited. Information is secured from the usual sources: The school, the employer, the church, relatives, and official and social-agency records. A school record must be obtained if the case is to be heard by the court; otherwise, the officer uses her own discretion about obtaining information from the school.

The head of the investigation division keeps in close touch with the progress of the investigation, reads the reports submitted in connection with all visits made, and is at all times accessible to the officer for informal conferences on difficult questions. No complaint can be dropped or otherwise disposed of without her approval.[2]

Dependent cases are not, however, brought into court on the judgment of the investigation division alone. A committee, known as the dependent-case-conference committee, acts as a board of final review. This committee is composed of the deputy chief probation officer, the head of the investigation division, the head of the family-supervision division, the officer in charge of the work with children committed to institutions, and an assistant from the State's attorney's office. Cases presented to the committee by the investigating officer, with the consent of the head of the investigating division, are subjected to

[2] The number of complaints adjusted without court action will be discussed at a later point. See p. 42.

a searching analysis by the case conference committee. The committee passes only upon cases for which the investigation division thinks court action is needed and upon cases which the Juvenile Protective Association or the Jewish agencies wish to bring into court. It is not concerned with the large number of cases that the investigation division, on its own authority, decides should not be brought into court. In this respect the work of the committee differs from that of a similar committee of the aid-to-mothers department,[3] which passes judgment on all cases investigated by that department. After assuring itself that the investigation has been thorough—that is, that all necessary facts have been secured and that they are in convincing form—the committee proceeds to consider whether the case necessitates court action. One principle is always kept in mind, namely, that children are to remain in their homes if possible. A strong reason for removal must exist if the committee is to recommend placing children in institutions or in homes other than their own.

Cases necessitating removal of children from their homes tend to fall into two classes: (1) Those in which the parent or guardian is unable or unwilling to provide maintenance and care for the child; (2) those in which the parents or guardians are mentally or morally unfit to provide proper care. In considering cases of the first type the committee goes carefuly into the income and resources of the family. There is no disposition to make it easy for the parent or guardian to shift the burden of support to the county and, ordinarily, even when there seems no alternative to institutional care for the children, the case will not be brought into court if the committee considers the family able to pay for that care. Sometimes, however, even if a parent is able to pay for a child in an institution, the case has to be brought into court because the institutions prefer the security of an order for payment made through the court to the uncertainty of a private agreement. If court action is recommended because of the parents' neglect, the committee makes sure that the neglect is of an obvious and unmistakable kind. For instance, the committee refused to recommend filing a petition in the case of a family complained of because the 11-year-old girl was overworked and undernourished. It was decided, however, to carry the case as a supervised complaint so that the committee might be assured that the parents were living up to the promises they made with regard to the girl's diet. If the moral character of the parents is in question, the evidence must be of a kind that would be admitted in a regular criminal court, and not mere opinion or hearsay.

Whenever the filing of a petition is decided upon, a recommendation for disposition of the case is also prepared, so that the case

[3] See p. 42 of this report.

usually comes to the judge with a specific suggestion for action. If commitment to an institution is recommended, the officer in charge of the work with institutions makes sure by preliminary inquiry that there is a vacancy in the selected institution. Usually the judge accepts these recommendations and takes advantage of these arrangements.

Delinquent girls.

Cases of delinquent girls come to the attention of the court either through some "reputable citizen" who makes a complaint to the court, as in the case of dependent children, or through the police to whom complaints are frequently made or who arrest girls under various circumstances. In any case the investigation is made by the investigation division with the difference that in cases reported directly to the court the investigation is made before the petition is filed and an attempt is made to adjust the case without court action; whereas in the cases reported to the police the police probation officer files the petition, and the real investigation is made often after the first hearing. This means that it is impossible to spare the girl the necessity of appearing in court or the stigma of a delinquency record.[4]

The investigation is usually made by the officer in the family-supervision division in whose district the girl lives. The officer reports to the head of the investigation division and is under her supervision. The type of investigation made is similar to that in the cases of dependent children. It is concerned primarily with the circumstances of the offense and the character of the girl herself, but also covers the family situation. The methods used, with some minor exceptions, are the same as those used in dependency cases. The rule that school records are to be obtained when the girl is in school is more rigidly enforced than in dependency cases. The petition may be filed with the sanction of the head of the investigation division without consultation with any committee corresponding to the dependent-case-conference committee.

Delinquent boys.

Cases of delinquent boys come to the attention of the court in the same way as cases of delinquent girls—that is, either by direct complaint to the court or through the police; but by far the larger number come through the police. If the case is reported to the court, the

[4] This system of investigating cases of delinquent girls is of recent origin. Prior to 1919 all cases reported to the police were investigated by the police probation officers. In 1919 three policewomen were assigned to the court to investigate these cases. They worked under double supervision, that of the police department and of the head of the investigation division. In 1920 the policewomen were removed and the present method adopted.

investigation is made by an officer in the delinquent boys' division under the direct supervision of the head of the investigation division. The reason for having this work done by the officers in the delinquent boys' division is not only that the officers in the investigation division have not time to investigate all cases, but also that the officers in the delinquent boys' division are men, and the advantages of having men for the work with delinquent boys is thought to compensate for the disadvantages coming from divided authority and lack of specialization in the one field.[5] This investigation, too, follows the lines described in connection with investigation of dependency. It is an investigation of the family situation by the methods familiar to case-work agencies, as well as an investigation of the truth of the particular complaint.

Police probation officers' investigation.

Most of the delinquent boys' cases, however, as already stated, are reported to the police; and in these cases the police probation officers make their own investigations and file their own petitions without consulting any other department of the court. The police officers work under the direction of one of their own number, designated as the officer in charge of the police probation officers. Except in those cases in which the boy is held in custody in the detention home, they are not required to report to this officer the steps taken in the investigation or the decision reached as to treatment. In these cases a report of the reason for detention and of the plan for action is required. The officer in charge of police probation officers makes a monthly report to the chief probation officer, giving the number of cases handled by each officer and their disposition. He does not report on individual cases. There are no rules governing the process of investigation, and each officer is free to carry on the investigation of each case as he sees fit. He may secure the information he desires by visiting the home or by calling the boy or his parents into the police station. In general, there is no attempt to make a social investigation such as that made by the investigating division, but the inquiry is limited to ascertaining the truth or falsity of the complaint. Many of the officers, however, have worked for several years in their districts, know many of the families, and take cognizance of particularly bad family situations.

The police probation officers do not clear cases with the confidential exchange and make no effort to secure previous social records of the family. Each officer, it is true, keeps a record of all com-

[5] At one time a man officer was assigned to the investigation division for full-time work and was given the more difficult boys' cases to investigate. This arrangement was very satisfactory to the head of the division, but because of difficulty in securing efficient men for the delinquent boys' division, he was transferred to that division.

plaints that he has handled, from which it is possible to discover whether a complaint has been previously made concerning a particular boy, but in practice the officer usually relies on his memory rather than on his record. No attempt is made, moreover, to use the files of the court for purposes of clearing. A minor offense of a child already on probation is frequently dealt with by police probation officers without consulting the officer of the delinquent boys' division who has the boy under his care and is responsible for his conduct while on probation. After the complaint has been disposed of in such a case the police officer usually reports the facts informally to the head of the delinquent boys' division, who makes a memorandum of the matter and gives it to the officer on the case.

Even when the police probation officer decides to bring into court for rehearing a case already on probation, he makes no special effort to notify the boy's probation officer, and it is sometimes quite by chance that the officer learns of the difficulty.[6]

The aim of the police probation officers, as of the juvenile-court probation officers, is to settle cases out of court if possible; and the great majority of cases are so settled—14,500 out of 16,995 complaints received by police probation officers in 1919.[7] While there are no rigid rules determining which cases should be settled without court action and which are to be brought before the court, in general the officers try to settle the less serious complaints, and particularly those involving first offenders.

No established method of adjusting cases out of court has been developed, but in some precincts the custom has grown up of holding a conference with boys, parents, and complainant at the police station in the precinct. Because of the desire not to interfere with the boys' school work the conferences are usually held on Saturday mornings, and in some precincts a number of cases are settled at this time. It is obvious that these hearings may be the source of very real confusion on the part of both boy and parents as to where the authority over children has been lodged.

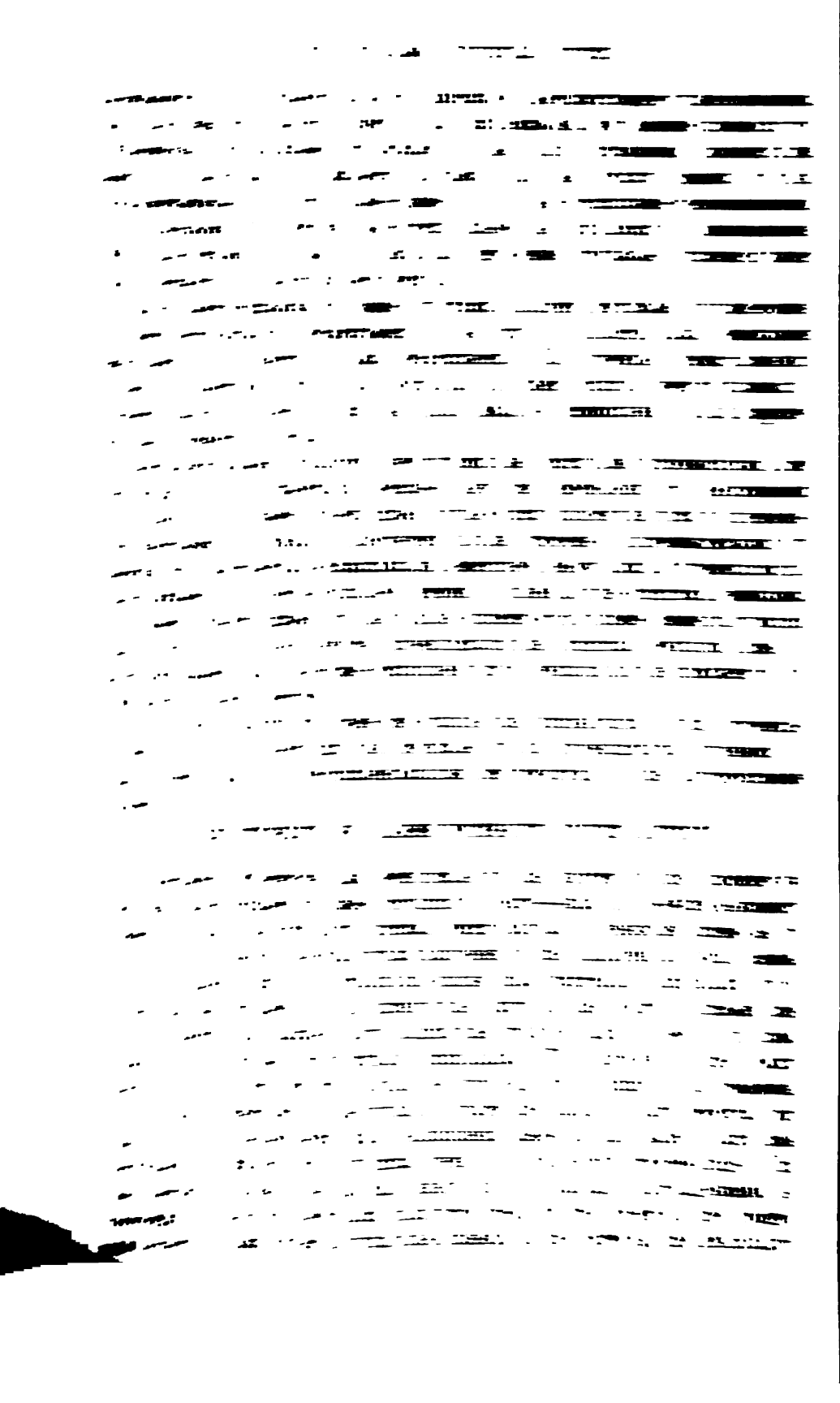
Other investigations.

The investigation of applications for pensions under the aid-to-mothers law is conducted by the officers of the aid-to-mothers division. The process has been described in a study of mothers' pensions in Illinois.[8] It is in general the investigation of a relief society, with more rigid rules than are common as to verification from official records of facts relating to the death or incapacity of the father,

[6] See p. 75, case Edward O.

[7] Charity Service Reports, Cook County, Ill., 1919, p. 287.

[8] Abbott, Edith, and Breckinridge, S. P.: "Administration of the Aid-to-Mothers Law in Illinois." Children's Bureau, Publication No. 82, Washington, 1921.



of an informal disposition is often to be preferred to the rigidity of a court order. In the third place, it is important that the examining judge shall not waste his time and energy on unnecessary cases. A fourth consideration is the saving of taxpayers' money; every case heard in court involves a certain expense. A dispute between neighbours or quarrelsome wife, moreover, often becomes worse, possible source of ill will and support that can be secured without court action.

The number of complaints settled out of court by the investigation division and the police prosecuting officers is shown in Tables V and VI. The statistics presented in the investigation division are for family complaints only, as stated in the report the figures must be multiplied by three or four to give the number of cases dependents. The police prosecuting officers' figures on the other hand are for all kinds of individual cases and therefore appear to be very much more numerous. The proportion settled without court action is somewhat larger in the case of the police prosecuting officers than of the investigation division.

TABLE V.—*Disposition of complaints investigated by police prosecuting officers year ending June 30, 1926.*

Disposition.	Complaints.	
	Number.	Per cent.
Total	1,[illegible]	[illegible]
Brought into court	[illegible]	[illegible]
Settled without court action	[illegible]	[illegible]

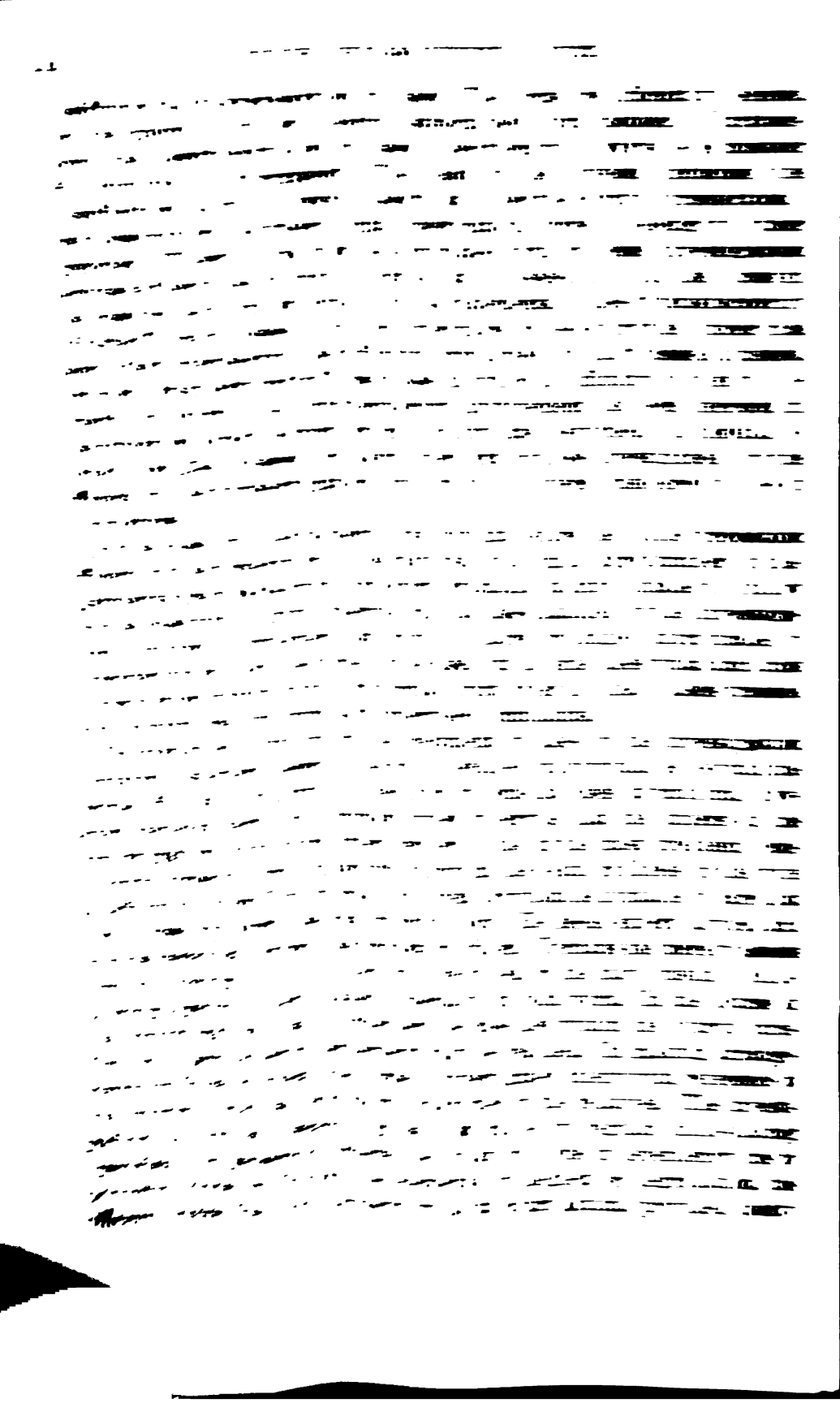
[illegible]

TABLE VI.—*Disposition of complaints investigated by the investigation division year ending June 30, 1926.*

Disposition.	Complaints.	
	Number.	Per cent.
Total	[illegible]	[illegible]
Brought into court	[illegible]	[illegible]
Settled out of court without court action	[illegible]	[illegible]
[illegible]	[illegible]	[illegible]
Pending at close of year	[illegible]	[illegible]

[illegible]

The minor reason from which there is no way out [illegible] explanation of the categories used in the investigation division



arrangement is not needed and the child has a legal guardian to assume responsibility for the arrangement.

Cases involving neglect or indifference on the part of the parents or guardians of the child are more difficult than those presenting the problem of desertion. Here the effort of the officer must be to effect some permanent change in the conduct of those in charge of the child. Her action is more serious, backed by the potential authority of the court.

A successful example of this kind of activity occurred in the case of an unmarried mother who, after her confinement, wished to place her baby out for adoption and to live. The officer gained her confidence, persuaded her to take a week to think matters over, advised difficulties with former employers, induced her to keep the child, helped her to recover a sum of money from the father in the event of domestic violence, and left her in the case of an agency that specializes in finding work for women in her situation.

Usually the adjustment does not come so quickly and easily. More persistent effort on the part of the officer is required. The case is carried as a "supervised complaint." Here the work is similar to that of the probation officers of the family supervision division of the city. The difference being that the authority of the court is potential but actual, and that the rules for work are more flexible. There is no regulation time limit governing the length of time during which a complaint may be carried. The division does not intend to allow an indefinite postponement of action, but to use a long time. If improvement is not evident steps are taken toward court action.

The following case is an example of a supervised complaint:

An Italian child was reported as being cruelly treated by a stepmother. The officer handled the case by careful investigation, brought the case into the court of domestic relations and secured a verdict placing the parents on probation under probation officer. The action of the court supplemented by frequent visits from the juvenile probation officer during which good advice about the care and sleeping arrangements were given, effected a change in the conduct of the stepmother.

Another type of supervised complaint occurs when some relief agency finds that it must cease giving relief unless a woman, whom it has been helping, chooses a husband with whom she is supported if he is willing to marry her. The relief organization has no authority to force her to comply with the request. The juvenile court officer however, by threatening to remove the children by court action, can sometimes influence the situation and will continue to supervise the family, the relief agency agreeing to continue its assistance.

The supervised complaint does sometimes, however, go to formal court action. If the arrangements under the supervision division have failed or the matter have been accomplished under court order, if

has been lost, but occasionally it seems to be a matter for regret that action was not taken sooner.

Such was the case, for instance, of a 15-year-old boy who had got beyond his mother's control and was continually running away from home. His case was carried for six months as a supervised complaint with no apparent improvement. Then the family moved without notifying the officer and could not be located until the mother, seven months later, reported that the boy had run away taking all the money she had in the house. After several trials in a county institution and on parole, it was necessary to commit the boy to the State school for boys.

Another such case was that of a dependent girl of 14, whose mother had been dead a number of years. The case had once been in court, and the petition dismissed when an aunt in California took charge of her. Several months later, however, she was returned to Chicago, and complaint was made to the court that the relatives could not be responsible for her care. For a year the case was handled as a complaint. From October until April the girl lived with an aunt, who complained of her unruliness. From April until August she was left in the home that her father established with a mentally deficient grandmother as housekeeper, the father working at night. Then the father gave up the attempt to keep a home, and from August until October the girl wandered about from one home to another, staying with friends and becoming more untruthful and dishonest. Part of the time she was working in a department store, and later on as a telephone operator. Finally she became definitely immoral and was brought into court on a delinquent petition.

The above, of course, are isolated cases, and it is not intended to imply that the supervised complaint always or frequently ends in court action. Nor is it certain that court action at first would have been any more successful than informal supervision. The possibility always exists, however, that it might have been more effective if applied promptly. The moral effect of bringing a delinquent boy before the judge is often marked, but, on the other hand, a distracted mother who appeals to the court to control an unruly child may be discouraged by the long-drawn-out process of the supervised complaint.

PHYSICAL AND MENTAL EXAMINATIONS.

For the examination of the child's physical and mental condition by persons competent to pass judgment, special organization is of course necessary.

The law gives the court no specific power to require such examinations. The court may, however, commit a child in need of medical care to a hospital[9] or may adjourn proceedings for the filing of a feeble-minded petition,[10] and presumably it has authority to inquire into the facts in such cases.

As in the case of payment of probation officers and the provision for a detention home, the machinery necessary for medical and

[9] Hurd's Illinois Revised Statutes, 1919, ch. 23, sec. 177b.
[10] Ibid., sec. 341.

psychological examinations was first provided by private philanthropy. Medical examination was begun in 1902, when the Children's Hospital Society furnished a trained nurse who was present at each session of the court and secured hospital and medical care for every child committed to her by the court. In 1907 this service was extended by the society, and all children in the detention home, as well as all others whose parents would consent, were given a general medical examination.[11] The work thus begun by private funds was taken over by the county commissioners in 1909.[12]

At the present time a physician and dentist working part time and three nurses working full time are paid by the county and employed at the detention home. In addition a woman physician employed by the city examines delinquent girls at the dispensary maintained in the juvenile court rooms.

All children brought in for hearing, with the exception of cases investigated by police probation officers, are given medical examinations. Children placed in the detention home are examined there by the attending physician. Children who are not placed in the detention home are examined at the court by the same physician.

The examination at the court includes the condition of the skin, glands, eyes, ears, nose, throat, teeth, and lungs. In the case of a delinquent girl, when immorality is suspected and if the parents consent, a vaginal examination is also made by the woman physician employed by the city.

Children received at the detention home are immediately taken to the dispensary, where a graduate nurse records temperature, pulse, and respiration, and takes throat cultures and vaginal smears. The children are then isolated until the next morning, when the attending physician makes a thorough physical examination. The report of this examination and any recommendation for treatment are sent to the court before the hearing.

Psychological and psychopathic examinations were first given in 1909, when the Juvenile Psychopathic Institute was established through the generosity of a public-spirited citizen. The institute was organized for five years as a private association directed by Dr. William Healy and was maintained by private endowment, though all of its services were given to the work of the juvenile court. In 1914 the institute was taken over by an appropriation of the board of county commissioners as a regular department of the court. It was continued under county auspices until 1917, when the director[13]

[11] Charity Service Reports, Cook County, Illinois, 1907, p. 112.

[12] Thurston, H. W.: "Ten years of the juvenile court of Chicago," in The Survey, Vol. XXIII, p. 663 (Feb. 5, 1910).

[13] Dr. Healy resigned in 1917 and was succeeded by Dr. Herman M. Adler, the present director.

was appointed State criminologist under the Illinois Department of Public Welfare. Opportunity thus being given to extend the work throughout the State, the Juvenile Psychopathic Institute became a State organization under the authority of this department and immediately under the direction of the State criminologist. Under this plan an arrangement for cooperation between the State and the county has been made, the county continuing to contribute to the expenses[14] of the institute in return for the services rendered in examining children brought before the juvenile court. In 1920, after considerable reorganization, the name was changed to the Institute for Juvenile Research.

Cases are referred to the institute by individuals and by social agencies, as well as by officers of the juvenile court, and the court has ceased to have any control over its work.

It has never been possible to have all the children examined, and the problem of selecting those who need examination has not been an easy one for persons untrained in psychiatric and psychological work. At one time an attempt was made to have a psychologist at court to give elimination tests to all children brought in for hearing; but the children were found to be abnormally nervous and excited by the court hearing, and the practice was abandoned. At present all the children who are placed in the detention home even for a day are given brief tests designed to eliminate those who are definitely not feeble-minded. These tests are given by the teachers in the detention-home school and are graded by the two psychologists employed by the Institute for Juvenile Research and stationed at the detention home.. A child found by this test to be defective is given a thorough examination by the psychologist; and if any abnormality of behavior is observed he is also given a psychiatric examination by a psychiatrist either at the detention home or at the office of the Institute for Juvenile Research. A diagnosis of the case, together with a recommendation for treatment, is reported to the court at the hearing.

[14] The county pays the salary of one psychologist and one stenographer. The work of these persons is not, however, confined strictly to the county.

DETENTION.

DETENTION POLICY.

The juvenile court law provides that "No court or magistrate shall commit a child under 12 years of age to a jail or police station; but if such child is unable to give bail, it may be committed to the care of the sheriff, police officer, or probation officer who shall keep such child in some suitable place provided by the city or county outside of the enclosure of any jail or police station."[1] The building erected, as before stated,[2] under the amendment of 1907 still serves as a detention home. While children of 12 or more do not come within the prohibition, it has become customary for both the juvenile court and the police to use the detention home for children between 12 and 17 or 18 as well as for the younger children.[3]

Many children awaiting hearing are left in their own homes. Unless the home is detrimental to the child or unless there is reason to fear that the child or the family will disappear before the hearing, it is the policy of the juvenile court to leave the child in his own home without bond, relying upon the promise of the parent or guardian to produce the child at the specified time.

In practice it has been difficult to maintain a consistent policy of detention, especially with regard to children brought into court by the police probation officers. It is difficult to obtain the figures necessary to determine the proportion of cases held in the detention home among all those brought before the court. The chief probation officer in his annual report for 1918 stated that not more than 15 per cent of the children whose cases were investigated by county probation officers were ever taken into custody.[4] Cases investigated in this way, however, form a small part of all the cases before the court;[5] hence, it is the practice of the police probation officers that is more important in this respect, but no statistics are available showing what proportion of children brought in by these officers are placed in the detention home.

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[1] Hurd's Illinois Revised Statutes 1919, ch. 23, sec. 179.

[2] See p. 9.

[3] See p. 8 of this report.

[4] Charity Service Reports, Cook County, Ill., 1918, p. 208.

[5] In 1919 police probation officers filed 2,495 petitions; the investigation division only 679.

NUMBER OF CHILDREN CARED FOR IN DETENTION HOME.

The total number of children cared for in the detention home in each year for the two years 1918 and 1919 is shown in Table VII.

TABLE VII.—*Source, by years; cases cared for in the juvenile detention home, 1918–1919.*[1]

Source.	Cases cared for in the juvenile detention home.	
	1918	1919
Total	4,636	5,104
In detention home at beginning of year	139	124
Juvenile probation officers	626	694
Police probation officers	2,648	3,024
Sheriff and Federal officers	40	11
Truant officers	53	88
Juvenile court	944	995
Officers of institutions	84	60
Children returned from hospital	77	97
Children asking shelter	25	11

[1] Figures are for fiscal years ending Nov. 30. Charity Service Reports, Cook County, Ill., 1918 and 1919. For 1920, 4,861 cases were reported as cared for in the juvenile detention home.

It appears from Table VII, which presents the number of entrances to the home rather than the number of children cared for, that children are received from a number of different sources besides the police probation officers who bring in more than one-half and the county probation officers who bring in less than one-sixth of the children. One important source is the juvenile court itself. That is, children are not only brought into the detention home by probation officers to await hearing but are returned there by court order after hearing. This may come about for either of two reasons: The case may be continued and conditions may be unfavorable for the return of the child to his own home, or a delay may occur in carrying out some order of the court. The order may be for the commitment of the child to an institution in which there is no vacancy. Feeble-minded children form only a small part of the detention-home population, but such children are frequently detained for months because of the crowded condition of the State school for the feeble-minded. Or the order may be that the child be placed in a family home, and it may require considerable time to complete the necessary arrangements.

Children are received from officers of institutions either after escape from the institution, or when, for some other reason, the institution finds it impossible to keep them. Children returned from the hospital are those whose examination on entrance to the home showed the need of special treatment or those who became seriously ill while detained.[6]

[6] Thus a child returned by the court or by a hospital may be counted two or three times during a short period of detention.

The average length of stay for children of all classes was 8 days in 1917,[7] but in individual cases the period might extend to 25 or 30 days. The average daily population of the home for the last five years has ranged from 105 to 123.

The number of delinquent children detained in 1919 was 4,185; of dependent children, 919.[8] The number of delinquent cases heard by the court in that year was 3,402; of dependent cases, 1,836.

OVERCROWDING.

More important than the total number of children detained during the year is the number of children in the home at any one time in relation to the facilities for caring for them. This problem has been before the officers of the court frequently during the last few years when the home has been often overcrowded, and it has been necessary to leave children in unsatisfactory surroundings or to take them to police stations.

The legal relationship between the court and the detention home is noteworthy in this connection. The court itself has no authority over the detention home, which was established under a separate act giving the board of county commissioners the authority to establish and maintain a place where children could be kept instead of being sent to jail. The institution is therefore controlled by rules and regulations laid down by the board of county commissioners, and neither the judge nor the probation department has any control over its management.

That this division of authority is wasteful has been recognized since 1912, when the Hotchkiss committee after its investigation both of the court and the home reported:

> The real supervision over the home as over the probation department should rest with the court and the cooperation between court, probation department, and home should at all times be full and complete.[9]

No change was made, however, in the control of the home, and in 1918 the situation became urgent. The boys' quarters were particularly crowded. Boys constitute 70 per cent of the population of the home. The two larger wards, for delinquent boys, accommodate 60; but they often housed 70 boys, so that a number of boys were without beds and some slept on mattresses on the floor, others on beds without mattresses. The same overcrowding occurred in the dependent boys' quarters, which were intended for 32 children and often housed from 45 to 60 boys.

In order to learn how much the court could help in relieving the congestion of the home, the judge, in September, 1918, assigned an as-

[7] Charity Service Reports, Cook County, Ill., 1917, p. 357.
[8] Ibid., 1919, p. 292.
[9] Juvenile Court of Cook County, Ill. Report of a Committee Appointed under Resolution of the Board of Commissioners of Cook County, Chicago, 1912, p. 45.

sistant probation officer to work with the officers of the detention home in investigating the causes of overcrowding, and the following analysis was submitted to the court,[10] attributing the conditions of the home to the following causes:

1. Delay in getting cases before the court for hearing because of overcrowded calendar. This delay is ordinarily about 7 days, but during the past year has been as much as 25 or 30 days.

2. Lack of room in both public and private institutions which would enable them to accept children, both dependent and delinquent, who have been committed by the court. Children committed to institutions are usually held at the juvenile detention home until they can be accepted at the institution.

3. The detention of children who have normal homes in which they might remain pending a hearing in the juvenile court. A constant effort is made to keep children in the custody of their parents pending hearing. There is a surprisingly large number of children who will not agree to stay at home until their cases are reached and a larger number of children whose parents refuse to accept responsibility for the child's appearance in court.

4. Unusual cases, including lost children, children who have run away from their homes in other States and in whose cases correspondence is necessary, and children whose cases are continued at the juvenile court for sufficient reason and who must be detained.

So far as the congestion in the home was due to a crowded court calendar or to overfilled institutions, the juvenile court was powerless to effect a remedy. Other aspects of the problem could, however, be dealt with, and as a result of this report certain restrictions were placed upon the freedom of probation officers to place children in the home. A rule was made that no child should be admitted to the home without the approval of the chief probation officer or of the officer in charge of police probation officers. An officer is thus no longer free to take any child to the home on his own responsibility, but must first show his supervising officer why it is not safe for the child to stay in his own home. In practice it has been necessary to modify this rule somewhat, owing to the fact that children are sometimes picked up at night and that emergencies arise making it necessary to act without waiting to secure approval. At present it is, therefore, customary for the police probation officer to take the children to the home and to report the matter at once to their supervising officer, who looks into the facts and releases the child if such action seems advisable.

This new ruling, it seems, has had the desired result, for in his report for 1919 the chief probation officer said:

One of the outstanding things of the year is the successful operation of a plan by which the judge places in the chief probation officer and the officer in charge of police probation officers the responsibility for the detention or release of any child held in the juvenile detention home pending a hearing.

[redacted]nts are encouraged to take children home pending investigation and hear- in the judgment of the chief probation officer and the aforementioned

[redacted]orts, Cook County, Ill., 1918, p. 209.

ficer in charge, the public welfare will not be jeopardized by the child's release. ll idea of using the juvenile detention home as a place where the child may be eld by way of punishment while awaiting trial is done away with. The net esult has been a quicker movement of the population of the home, so that at no ime during the year was it necessary to refuse to admit children because of vercrowding. This condition is in striking contrast to the three previous years uring which the juvenile detention home was crowded practically all the time nd children were held in police stations because of lack of room in the home.[11]

The reduction in overcrowding has meant that it is no longer necessary to hold children in police stations because they can not be admitted to the detention home, a condition to which the chief probation officer had called attention in his reports for 1916, 1917, and 1918. It has not entirely eliminated detention at police stations, however, since a police probation officer, with the consent of his supervising officers, occasionally detains a boy in the police station if the detention home refuses to receive him because he has previously escaped or proved unmanageable.[12] More rarely the police officer keeps a boy in the police station if from his knowledge of the boy he thinks there is danger that he will escape from the home. No figures are available giving the number of children held in police stations in 1919. The chief probation officer, however, estimates the number at approximately 25.

EQUIPMENT OF THE JUVENILE DETENTION HOME.

The present equipment of the juvenile detention home is not of great significance in view of the fact that the voters of Cook County in November, 1919, approved a bond issue of $1,000,000 for the erection of a new juvenile-court and detention-home building. The erection of this building has not yet begun, however, and meantime the present equipment must suffice.

The present detention home is a three-story brick building, erected in 1907. It occupies three sides of a hollow square with a central quadrangular court and an annex housing the detention-home school. The juvenile detention home belongs to the county; the school belongs to the city and is under the authority of the board of education and under the direction of the principal of the public school nearest the home.

The central part of the first floor of the main building is occupied by offices, the branch office of the Institute for Juvenile Research, and a large reception room in which the children see their parents. The remainder of the first floor is devoted to the boys' and girls' receiving wards and isolation rooms. On the second and third floors are the dormitories, playrooms, dining rooms, kitchen, and pantries.

[11] Charity Service Reports, Cook County, Ill., 1919, p. 225.

[12] The authority of the officers of the detention home to refuse any chil remains absolute.

The dormitories and receiving and isolation rooms are equipped with toilets and with hot and cold shower baths.

The school was completed in 1915. It is a two-story brick building connected with the main building by two bridges, one leading to the girls' section, the other to the boys' section. On the first floor are five classrooms, a manual-training room, and a gymnasium, and on the second floor, two large dormitories, a manual-training room, a classroom, a sewing room, and a hospital.

The children are divided into five groups, each with a separate dormitory and playroom. In general, the dependents and delinquents are separated, but the smaller boys from 5 to 14 years of age are kept together. This group includes "little dependents, truants, runaways, and trivial first offenders," who have a dormitory of their own with 20 beds, a separate playroom, individual lockers, toilets, and 2 shower baths. This is thought to be very much better than keeping the younger delinquents with the older ones, as was formerly done. In the girls' wing one dormitory is set aside for dependents and another for delinquents, but girls of all degrees of delinquency are kept in the delinquent department.

A graduate nurse is on duty in the home at all times except between midnight and 8 a. m. In addition, a woman is in attendance day and night in the delinquent-girls ward, a man and two women in the dormitories for delinquent boys, and two women in the dependent sections.

RECEPTION OF CHILDREN.

When a child is admitted to the home, important facts regarding the case are recorded. The child is then taken to the graduate nurse, who records temperature, pulse, and respiration, takes a throat culture, swabs the throat with an antiseptic solution, and administers a grain of calomel, followed by magnesium sulphate. If the child is a girl, an examination for gonorrhea is made as a protection to the other inmates. A shampoo and antiseptic bath are given, and the child is dressed in detention-home clothes, so that its own may be sent to the fumigator.

The house physician is on duty every morning except Sunday and examines each child who has been admitted during the previous 24 hours. The doctor's findings and recommendations are recorded on a card which accompanies the child to court and is given to the judge, who advises the parents if the child needs medical care and obtains their signature if they consent to carry out the recommendations.

As a precaution against the spread of disease all children are kept in the receiving wards after admission to the home until the result of the doctor's examination and the throat and vaginal cultures

is known. This period of isolation is usually from 24 to 48 hours. Most medical and surgical cases, including all gonorrheal infections and cases of ringworm of the scalp, are sent to the county hospital for treatment. Certain contagious diseases and some kinds of eye, ear, nose, and throat trouble are treated in the isolation rooms of the home.

As a precaution against the spread of contagion the one or two days that the children are kept under observation in the receiving wards are inadequate. The incubation period of acute contagious disease is from one day to three weeks, but owing to cramped quarters, particularly downstairs in the receiving wards, the children are allowed to go upstairs as soon as their cultures are reported on, providing there is no evidence of disease.

The attending physicians have repeatedly stressed the fact that better isolation facilities should be provided for sick children. In 1917 the home had within its walls 190 cases of acute tonsilitis, 42 of pharyngitis, 45 of impetigo, 68 of venereal disease, 22 of ringworm, 24 of scabies, 3 of trachoma, as well as a few very severe cases of pediculosis and 141 diphtheria carriers, all demanding rigid quarantine.[13] In 1918, cases of sickness among its inmates numbered 1,650.[14] Thus the request for a separate small hospital building does not seem unreasonable.

The teeth of all children kept in the home over 48 hours are examined, except in the cases of positive throat cultures. A record is made of conditions found and of all work done. So far as possible in the limited time children are under detention, defects are remedied, and the children are taught to care for their teeth. The dentist's services are provided only 18 hours a week, and a great deal more work is needed than can be accomplished in that short time.

THE DAILY ROUTINE.

Much of the work in their own sections is done by the children themselves, thus:

> The delinquent children do practically all of the work in their own departments. They rise at 5 a. m., turn back their bedding, throw the windows open, and begin their daily duties. They scrub almost their entire department before breakfast, which is at 6.45 a. m. Immediately after breakfast they clear their tables, wash the dishes, and tea towels, scrub the dining room and make their beds. At 9 a. m., when the work is usually completed, they wash, comb their hair, and change their clothes, ready for school at 9.30 a. m. The girls, besides doing the work in their own section, assist in the preparation of the vegetables and wash the employees' dishes. They also scrub the dormitories of the dependent section and assist in making the beds of that department. The boys scrub the main hall of the dependent section and the kitchen. If at any time the girls are under quarantine, the boys are detailed to the kitchen work.[15]

[13] Charity Service Reports, Cook County, Ill., 1917, p. 319.
[14] Ibid., 1918, p. 269.
[15] Charity Service Reports, Cook County, Ill., 1915, p. 267.

After these strenuous hours the children spend from 9.30 to 12 and from 1.20 to 4 in school. Children under 10 years of age are cared for in a group by themselves, and their work is informal and social. The kindergarten room for little dependents is particularly attractive. Visiting and recreation hours are from 4 to 5 p. m. and from 7 to 8 p. m. Parents may visit the children during these hours five days a week. The boys play outdoors in the court under supervision, but the girls have no outdoor recreation. Time hangs heavy on the hands of the children under observation in the receiving rooms, inasmuch as they can neither go to school nor play outdoors and have no one to direct their play in the house.

The children are entertained every Friday evening with music, lectures, stereopticon views, and aesthetic dancing, and a special entertainment is always provided on holidays. Occasionally the downtown theaters present the home with tickets for some suitable play. Religious instruction is furnished for both Catholic and Protestant children by outside religious organizations.

Discipline is usually left to the nurses in charge. Under no circumstances is corporal punishment resorted to, but occasionally when special severity seems needed, children are put on a bread-and-milk diet and sometimes they are placed in solitary confinement for an hour or two "to think it over."

DIETARY.

A study of the diet made in 1917 under the direction of a member of the home economics department of the University of Chicago, showed the diet to be unsatisfactory. It was monotonous, to some extent poorly cooked, some foods were served too frequently, and the evening meal in particular was not sufficiently satisfying. A new diet was then agreed upon by the superintendent and the dietitian making the study.

CLOTHING.

During working and recreation hours the girls wear blue gingham dresses and the boys overalls and jumpers; during school hours the girls wear blue, brown, tan, and white middies, and the boys khaki suits. The children are put into home uniforms so that their own clothes may be disinfected and cleaned, or possibly destroyed. A majority of the delinquent boys and girls enter the home so dirty that their clothing has to be destroyed at once; almost all the dependent children have to be given new clothing also. Supplying a sufficient number of new outfits has always been one of the problems of the home.

HEARINGS.

SUMMONS.

When the investigation has been completed and a date set for the hearing, a summons is served by the probation officer, requiring the parent or guardian to be in court with the child on the appointed day. Summons, less formal than a warrant, does not constitute arrest, but failure to obey constitutes contempt of court.[1] For most cases such informal procedure is sufficient to bring all the needed persons into court. In some instances, however, it is necessary to issue a warrant for arrest served by the sheriff. Occasionally the hearing of a case may drag on for a considerable period of time because of failure to compel attendance.

A social agency complained to the court that two brothers, 8 and 9 years of age, had glandular tuberculosis, that the home was neglected and dirty, and that the mother was mentally defective and refused to take the children to the dispensary for treatment. The court had already had five years' experience with the family because of one delinquent girl and one delinquent boy and had removed three other children from the home as dependents. Four children, all under 10, had been left in the home. It is somewhat surprising, therefore, that the case of these two children who had never been in court before was allowed to drag on for six months before there was a real hearing, being continued six times because no one was present. No mention is made of any effort to secure the cooperation of the father. The following brief statements indicate the difficulties encountered.

November 24, 1919: First hearing. Mother refused to come. Case continued.

December 2, 1919: Second hearing. Mother refused to come. Probation officer asked for a warrant. Case continued.

December 16, 1919: Case in court. No hearing. Continued.

January 6, 1920: Case in court. No hearing. Warrant never served. Case continued.

January 19, 1920: Case in court. Probation officer reported family had moved and could not be located. Case continued generally.

May 28, 1920: Probation officer located family and called to serve summons. Mother denied that children were living with her.

May 11, 1920: Case in court. No one present. Warrants issued. Case continued.

July 6, 1920: Seventh hearing. Children and brother-in-law present. Mother still refused to come. Case continued.

July 13, 1920: Eighth hearing. Probation officer reported that married sister and her husband now in the home were assuming responsibility for the children and conditions were improved.

July 26, 1920: Case continued under supervision.

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[1] Hurd's Illinois Revised Statutes, 1919, ch. 23, sec. 173.

September 28, 1920: Conditions greatly improved. Placed on probation.

That is, although the court had the power of the State back of it, it found itself unable for 10 months to secure the presence of a subnormal mother. It is true that the continued effort brought the married sister into the situation; the burden, however, was certainly not one that could be borne wholly by her and her husband, but rather was one that required the aid of the community agency organized supposedly to deal with such situations.

If a parent or guardian is believed to have left the State or if, after reasonable effort he can not be located, the law provides for publication of the case "once" in "some newspaper of general circulation," requiring appearance within 20 days.[2] Delay is, of course, often the result of conforming with this futile requirement of the statute, incident to such publication, especially since the publication often does not occur until after the case has already been brought into court for hearing.

TIME AND PLACE.

The general equipment of the court has slowly expanded as the number of cases has increased. During the early days of the court, hearings were held only two afternoons a week in the circuit court room of the old courthouse. By 1905 hearings were held two days a week—dependent children in the morning and delinquent children in the afternoon.[3] From 60 to 80 cases were heard each day, and as all cases were set for the same hour, many persons were kept waiting for the hearing in which they were interested. In that year the old courthouse was torn down, and the juvenile court was established in a room over a store on a busy street. In 1907, when the juvenile court building was erected, a small court room and several waiting rooms were provided, and five half-day sessions were held.[4] It was not until September, 1910, however, when the judge began to give his full time to the juvenile court, that more frequent sessions were possible.[5] Since that time sessions have been held both morning and afternoon, five days a week.

To insure the complete separation of dependent and delinquent children different classes of cases are heard at different sessions of the court. The schedule of the court at the time the investigation was made was as follows: Three mornings a week, cases of dependent children; four afternoons, cases of delinquent boys; one morning, pension cases and cases of feeble-minded children; and one morning, truant cases. Conferences on cases of delinquent girls were heard four mornings a week in a separate room. Facts are pre-

[2] Hurd's Illinois Revised Statutes 1919, ch. 23, sec. 173. The publication is often inserted in the "Calumet," a paper of 5,000 circulation.

[3] Thurston, H. W.: "Ten years of the juvenile court," in the Survey, Vol. XVIII (Feb. 5, 1910), p. 661.

[4] Charity Service Reports, Cook County, Ill., 1907, p. 111.

[5] Ibid., 1910, p. 145.

sented by a woman officer to the judge in the regular court room, who satisfies himself as to the wisdom of the recommendation formulated by the woman assistant to the judge, and renders a decision in the case.

Since 1913, when the juvenile court building became too crowded for both the court rooms and the detention home, hearings have been conducted in a building erected jointly by the city and county, containing all municipal and county courts as well as administrative departments. It is located in the midst of a busy downtown district and, except for its central location, has little advantage to offer as a children's court building. The juvenile court occupies a part of one floor and consists of a court room, a small room in which girls' cases are heard, a waiting room, a large room containing desks for probation officers, the dispensary, a record room, and the offices of the judge, the chief probation officer, the investigation division, the family-supervision and the aid-to-mothers division, the delinquent boys', the child-placing, and the police probation divisions. The new building which is to be erected for the detention home will also contain all juvenile court rooms and offices.

Hearings, except those of cases of delinquent girls, are public; but the benches on which both witnesses and outsiders sit are arranged at the back of the room, leaving considerable unoccupied space between them and the judge, and the hearings are conducted in such a way that little can be heard except by persons interested in the case or officially connected with the court.

The judge's desk is not on a raised platform but is, with the reporter's desk and the benches for the jury, separated from the rest of the room by a low railing. Only the width of the desk, placed directly behind the railing, separates the judge from the child whose case is being heard.

PROCEDURE.

When the judge comes into the room, court is opened in a formal manner by the bailiff. The clerk then calls each case in order, and the officer who has made the investigation comes forward with the child, his parents if present, and witnesses. They group themselves around the judge's desk, facing him. The probation officer who has made the investigation or filed the petition, the police probation officer in most of the delinquent boys' cases, or the truant officer in truancy cases, makes a brief statement to the judge, outlining the main facts in the case, and then stands aside. He is, of course, ready to give further information and to help in any way that the occasion demands. In general, the attitude of the officer, and this is especially true of the county probation officers, is that of an impartial friend of the child and the family and distinctly not that of a prosecuting officer.

After the probation officer's statement the judge, with the case record of the family before him, begins his questioning. When the case is that of a delinquent or truant boy, he usually begins with the child, sometimes starting with the concrete charge and asking him what his story is, what his reasons were, and working back to his age, his work, what he does with his leisure time, and questions of a more general nature. In other instances he works up to the charge more gradually. If the boy has been in court before, the judge always reminds him of it and of what happened at that time. Perhaps the most striking thing about the questioning of the boy compared with the examination of the accused in criminal courts is that no attempt is made to induce the child to incriminate himself, none of the questions are designed to trap him, none are asked whose bearing he will not see. The judge's manner is friendly but never to the point of seeming to condone the offense, and when the occasion calls for it, he may become very stern and severe. Usually the questioning of the child is followed by questioning of the parents. After this, anyone else who is present is given an opportunity to make such statement as he may desire. The time devoted to a case varies from a few minutes in simple cases to possibly half an hour in cases in which the truth is difficult to establish. In general each case is so dealt with that there is no impression of perfunctoriness or of haste in dispatching the day's work.

Occasionally the boy or the complainant is represented by an attorney, and this usually complicates the proceedings. If a contest over the court's action arises, the case is postponed and heard in the one week of the month devoted to contested cases. Frequently, however, even with an attorney present no contest is involved, and the case is heard in the regular session. Proceedings in contested cases are somewhat more formal; witnesses are sworn, and the attorney does the greater part of the questioning which in other cases is done by the judge. As great care, however, is taken to discover all the facts and to do what is best for the child in those cases in which neither the child nor the complainant is represented by an attorney as when one or both are so represented.

CASES OF DEPENDENT CHILDREN.

The procedure in cases of dependent children differs slightly from that in delinquency cases. In the first place a jury of six is required by the laws providing for commitments to manual-training and industrial schools.[6] Their service in the Cook County court seems to be largely perfunctory, as the decision is arrived at by the judge and submitted to the jury for their approval, which is seldom withheld. The social value that accrues from acquainting six men who sit in

[6] Hurd's Illinois Revised Statutes 1919, ch. 122, secs. 323 and 337.

ourt for two weeks with the problems that confront the youth of the ity and with the policies of the juvenile court is, however, very great.

A second difference in the proceedings is caused by the fact that vhile it is the child over whom the court has jurisdiction, it is the parents who are directly responsible for his presence in court, and t is really the parents who are on trial, although the court has no urisdiction over them. It is natural, therefore, that the judge should egin his questions in these cases with the parents and should devote nost of his time to them. Frequently the child is not questioned at all except to establish his identity. At times also, when the facts to be brought out are not such as a child should hear, the judge directs the officer to take the children to the rear of the room.

CASES OF DELINQUENT GIRLS.

The real, as distinguished from the technical, hearings in delinquent girls' cases are held in a private room before the woman assistant to the judge. This room is in appearance a small and attractive office, having no suggestion of a court room. No one is admitted to this room except the persons directly concerned with the case and the officers of the court. Ordinarily, no one is present but the assistant to the judge, the girl, her mother, her father whenever possible, the probation officer, a court stenographer who is a woman, and the police probation officer who filed the petition in those cases in which the complaint was made to the police. This officer is usually the only man present aside from the girl's father. The proceedings are even less formal than those in open court; the hearing is in reality a helpful, friendly conference of all concerned. If the petition has been filed by a police officer he gives his information relating to the case; the probation officer who has made the social investigation then presents the facts she has learned and describes the conditions as she sees them. The girl is encouraged to state her side of the case and to express her feelings and point of view. The difficulty is discussed with the parents and the probation officer, and they are consulted with regard to the wisest plan to pursue. Every effort is made by the judge's assistant to establish confidential relations with the girl and to make her feel that here she has a real friend genuinely interested in her welfare. She and her parents stand close to the desk during proceedings, no strangers are present before whom she hesitates to tell her story, and it is seldom that she fails to be more or less won by the evident friendliness of the atmosphere. After the facts have been brought out, the assistant tries to persuade the parents to agree to what seems to her the best course of action and in any event makes a recommendation as to the disposition of the case. The probation officer then takes the girl and her parents, with the

legal papers, before the judge and reports to him the facts of the case with the recommendations of the assistant to the judge. The judge acquaints himself quickly but adequately with the problems; but if there are no objections on the part of the parent, he generally concurs in the recommendation of his assistant. Neither the girl nor the witnesses are questioned, nor is any statement of the case made in open court. Any parent or his representative may, however, object and demand that the judge himself hear all the facts in the case. If that is done, the case is heard in open court in the week devoted to contested cases. That means, of course, that the privacy with which the court has tried to shield the girl can no longer be maintained. It is very rarely, however, that an open hearing is insisted upon, for in general the parents and friends of the girl are impressed with the fairness of the private hearing and appreciate what the court is trying to do.

CASES OF FEEBLE-MINDED CHILDREN.

Hearings in cases of feeble-minded children are conducted by the judge and a commission appointed by him as required by law.[7] In practice this commission always consists of two representatives of the Institute for Juvenile Research. Since an examination of the child must be made by an expert before the case is brought into court, the hearing is merely a report of the result of this examination, followed by a formal order for disposition.

AID TO MOTHERS CASES.

Mothers who are to receive pensions under the aid to mothers law must appear with their children before the judge to have their applications granted. The hearings in these cases are usually brief, as in most instances it is necessary only to ratify the action of the committee composed of the chief probation officer, the head of the aid to mothers division, and the county agent or his representative.

[7] Hurd's Illinois Revised Statutes, 1919, ch. 23, sec. 328.

THE COURT ORDER.

The real test of the value of the juvenile court as an enduring social institution lies perhaps in the character of treatment that is provided for the child after the hearing of the facts of the case. It is a comparatively simple task for the legislature to do away with the forms of the criminal procedure, to say that the child is not a criminal but a delinquent "misdirected and misguided and needing aid, encouragement, help, and assistance,"[1] and as such that he shall not be punished but shall be placed in such surroundings and under such influences that he will cease to be even delinquent. But it is not so easy for the judge and probation officers of the juvenile court to determine in each case what method of treatment is most likely to bring about definite improvement, nor for the probation officer who is intrusted with the supervision of the child to embody in concrete results whatever ideals of probation work he may have. In the case of the neglected child the task is even more difficult, for it then involves reorganizing a whole family and helpful cooperation often secured from the parents of a delinquent child may be lacking.

DISMISSAL AND CONTINUANCE.

Dismissed and continued generally.

The form that the court order may take varies with the class of case, the legal restrictions, and the public provision for the care of each group of children. There are, however, two broad lines of action that the court may take in all classes of cases. It may assume responsibility for the child or it may refuse to assume that responsibility. In the Chicago juvenile court practice a child is never "discharged" or "acquitted," for these terms imply that he was formally accused of a specific offense. If the facts brought out in the investigation or in the hearing do not reveal conditions that warrant the court's assuming control over the child the case may be either "dismissed" or "continued generally." A case is dismissed when the facts seem to indicate that there is no need for court action. "Continued generally" amounts to continued indefinitely in contrast with continued for a definite period of time or to a specified date. A case is "continued generally" when conditions do not seem to warrant the supervision of a probation officer and yet

[1] Colorado Revised Statutes, 1908, sec. 597.

the judge is unwilling to dismiss the case. The orders of "dismissed" and "continued generally" are alike in that neither provides for further work on the case. They differ in the fact that if a "dismissed" case is to be again brought into court a new petition must be filed, while a case "continued generally" remains nominally under the court's jurisdiction and a new petition is unnecessary. In neither case does the child receive supervision.

The "continued generally" order may also be used as a temporary expedient when (before a case has reached the stage of a definite order) the family moves without notifying the probation officer. In such cases, instead of entering an order of continuance for a definite period, the judge continues the case "generally" to allow the probation officer to locate the family and to bring in the case whenever it is possible to do so. The purpose here, of course, is quite different from that first mentioned. In Table VIII the numbers of cases of the various types dismissed and continued generally are shown for the three-year period 1917–1919.

TABLE VIII.—*Dismissal and general continuance, by class of case; cases heard by the juvenile court, 1917–1919.*[1]

Class of case.	Cases heard by the court				
	All cases.	Dismissed.		Continued generally.	
		Number.	Per cent of total.	Number.	Per cent of total.
Total	23,270	1,439	6.2	2,060	8.9
Delinquency:					
Boys	7,281	683	9.4	1,575	21.6
Girls	2,164	279	12.9	93	4.3
Dependency	5,992	381	6.4	309	5.2
Truancy	1,614	27	1.5	69	4.3
Feeble-minded	192	11	5.8	14	7.3
Aid to mothers	6,027	58	1.0	.....	.....

[1] Compiled from figures for fiscal years ending Nov. 30. Charity Service Reports, Cook County, Ill., 1917–1919. Figures for 1920 are: Dismissed, 521; continued generally, 544

Among 23,270 cases heard by the court in the three-year period 1917–1919 only 1,439, or 6.2 per cent, were dismissed and only 2,060, or 8.9 per cent, were continued generally. The use of these orders varies somewhat with the type of case. Aid to mothers cases are never continued generally and are rarely dismissed, because the investigation is necessarily very complete and the pension must be recommended by the conference committee before a petition is filed. Among the feeble-minded children the fact that even 14 cases were continued generally is explained by the court as meaning "that the whole situation of the child was not serious enough for the court to order a commitment as feeble-minded, but that it was bad enough

so that it might later become necessary to make a commitment. Under this order the court retains jurisdiction, so that the child can be brought into court without filing a new petition."[2]

Continued for a definite period.

Before the court definitely dismisses the case or by some other final order assumes the care of the child, cases are frequently continued for a definite period. This order may be used for two reasons: First, because the child or its custodian fails to appear in court, sometimes even necessitating delay for publication; and, second, in the hope that the child may improve in conduct or the home conditions may be so changed as to render a final order unnecessary. Under such circumstances the case may be dismissed, and the child saved from whatever stigma may be attached to a juvenile court record.

The essential difference between continuing a case generally and continuing it for a definite period is in the supervision provided in the latter case. As long as the judge orders the continuance of a case with the definite intention of having it brought into court at a later time, the officer who has made the investigation, unless some other officer is designated, is responsible not only for the child's ultimate appearance in court, but for whatever developments may take place in the meantime. Children brought to court by police probation officers are never left under the supervision of these officers but are placed, by special order, under the supervision of some other officer, usually the probation officer for the district in which the child lives.

The effect, then, of the order for definite continuance, usually stated in the case record as "continued under supervision," seems to be practically that of probation. Certain administrative differences exist, however. Many of the supervising officers, especially in the cases of children brought in on dependent petitions, are officers of the investigation division. In such cases the children receive adequate care. The work of the division may, however, be seriously disorganized by the necessity of caring for a great number of supervised cases, and the practice is recognized by the chief probation officer as a violation of the principle of specialization of function maintained in the organization of the staff, to which he credits a considerable part of its successful work.

The relation of the court to the problem of the child during these periods of continuance is one that has been very little discussed. As has been said, neither the annual reports of the court nor of the chief probation officer contain data with reference to it. It is, how-

[2] Charity Service Reports, Cook County, Ill., 1919, p. 285.

ever, evidently a relationship of sufficient importance to be of interest to the student of the court. The following cases, while few in number, illustrate situations that are typical of many situations with which the court deals through this device:

Virginia D., aged 15, was brought into court by her mother. She had been keeping late hours in bad company, and one night stayed out until 2 a. m. The case was continued for seven months under the supervision of the district officer.

October 27, 1919: First hearing. Virginia working without a certificate. Disobedient and defiant. To live at home under supervision.

November 7, 1919: Probation officer visited. Virginia had obtained a work certificate. Was doing office work and going to night school.

November 26, 1919: Case in court. Virginia had stayed away from home all night. Found in park next morning. Said she had ridden round on street cars all night. Given another chance at home.

December 2, 1919: Probation officer reports home conditions poor, but Virginia behaving better.

January 19, 1920: Virginia left home. Family learned that she was staying with a family in Geneva, Ill., who were at first willing to keep her, but a month later sent her home, as they did not wish to be responsible for her.

March 29, 1920: Case in court. Virginia working and causing no trouble. Continued to April 23, 1920.

April 2, 1920: Probation officer visited. Virginia working.

April 16, 1920: Virginia admits she has not been working for a week. Mother can not manage her.

April 23, 1920: Case in court. Virginia again working. Has lied about her age to employer and is not going to night school. Case continued.

May 20, 1920: Virginia ran away from home. Picked up by the police and taken to the detention home.

June 2, 1920: Case in court. Virginia had been unmanageable in detention home. Placed under supervision of child-placing division to live at M. E. Club.

June 30, 1920: Case in court. Virginia had run away from club and had been immoral. Probation officer on case stated that she had never seen the girl. Committed to the House of the Good Shepherd.

Harriet L., a colored girl, aged 17. Mother dead, father married again. Stepmother complained that girl had stolen money from her father and had torn up her stepmother's clothing. Case continued five months.

December 30, 1919: First hearing. Evidences of mental defect, but father and probation officer have been unable to get her to the psychopathic institute for an examination. Case continued to January 6, 1920.

January 6, 1920: Case in court. Continued for a warrant, as girl refuses to come to court or to have psychopathic examination.

January 21, 1920: Case in court. Continued for report of examination.

January 28, 1920: Case in court. Psychopathic institute reports that Harriet is neither feeble-minded nor insane, but has very peculiar reactions. Girl complains of stepmother's treatment. Willing to try working in a private home. Continued under supervision of district officer. To be placed in private home.

February 2, 1920: Case set for hearing before Judge Arnold to confirm assistant's recommendation. No one present. Continued.

February 21, 1920: Placed in working girls' home. Matron refused to keep her because she was so slovenly. Discharged from laundry because too slow.

March 11, 1920: Placed in another family. Probation officer visited once. Found that Harriet was doing day work and was dirty and untidy. Her father

had given her money for clothes. A friend of hers was interviewed a month later, but the girl was not seen.

June 4, 1920: Case in court. No one but probation officer present. Girl was then 18. No improvement was reported, but the case was continued generally.

Irene T., aged 13. Neighbors complained of her conduct and case was brought to court by police probation officer. Continued eight months.

June 10, 1919: First hearing. Girl had been out of school. Neighbors had complained that she was often alone in the house with a man who, according to her mother, was a friend of her brother's. Mother refused to allow a medical examination, but had a satisfactory statement from her own doctor. Case continued, with no order for supervision.

June 27, 1919: Case in court. Truant officer testifies that absence from school accounted for by illness. Mother objects to suggestion of sending her to a convalescent home. Case continued.

Case in court four times between June 27, 1919, and January 6, 1920. Each time mother failed to appear, and the case was continued.

January 6, 1920: Case in court. Irene had given birth to a child on Christmas day. A few weeks before this the mother had had her married at the city hall by giving her age as 16. She had paid a doctor $2 to give her the statement presented to the court at the first hearing. Case continued.

January 20, 1920: Case in court. Irene complains that she was forced to give the child to her sister-in-law for adoption. Continuance one week to investigate the matter.

January 27, 1920: Case in court. Irene to live at home. Child to remain with aunt. Marriage has been annulled. Irene's brother undertakes to see that she does not live with the man again until she is 16 and can be legally married. Case dismissed.

Richard R. was a dependent boy 9 years old. His parents were divorced, and his mother worked as a housemaid in a private family. He had been under the court's jurisdiction since 1918 and had been placed in several homes. In 1919 his custodian complained of his bad habits and stealing and refused to keep him any longer. The case was brought to court for rehearing in February, 1919, and was continued seven times during a period of nine months, ending in dismissal.

February 24, 1919: Case in court. Probation officer requests continuance to see what she can do with child.

March 12, 1919: Case in court. Temporary home found by Illinois Children's Home and Aid Society. Continued.

March 12, 1919: Case in court. Probation officer has found home. Continued.

March 31, 1919: Case in court. Report that child is provided for until September. Continued.

July 2, 1919: Case in court. Report that child is provided for until September. Continued.

September 8, 1919: Case in court. No one present. Continued.

September 17, 1919: Case in court. Boy so attached to custodian that arrangement prolonged until January.

January 6, 1920: Case in court. No one present. Continued.

January 19, 1920: Case in court. Custodian wishes to keep child. Case dismissed.

The record contains no report of any visit to this family or of the conditions in the home. It is probable that the home was approved by the Illinois Children's Home and Aid Society.

John C., a delinquent boy, 13 years old, in company with another boy had been involved in six different burglaries.

October 31, 1919: Case in court. Good home. Parents want to give boy another chance. Continued under supervision of district probation officer.

January 29, 1920: Case in court. John placed in a farm school by probation officer and his father. Judge approves arrangement. Case continued.

May 12, 1920: Probation officer learns that John had taken a large sum of money from his father and had run away from the school with several other boys. School refused to take him back.

June 4, 1920: John working in his uncle's cigarette factory. Reports favorable.

June 23, 1920: Case in court. John registered for a summer camp. Case dismissed.

A brief summary does not wholly reveal the work of the court, as it is impossible to note all the work done in each case. The difficulty is due, however, not only to the method of presentation but also to the inadequacy of the court record in these cases. It is often difficult to ascertain what work the probation officer has done. Each hearing, however, has been included, and all other steps that seemed to have an important bearing on the case. The reader of these cases is struck in some instances by a somewhat hasty dropping of the case by a "dismissed" or "continued generally" at the first indication of improvement, especially when the boy or girl is near the upper age limit, so that if the jurisdiction of the court be lost it can not again be obtained.

The published reports of the court do not include the number of continuances, since they are not final orders. An idea of the extent to which this order is used, however, was gained by reading a number of selected records of cases heard by the court during the first two weeks of January, 1920. Among 86 records of delinquent and dependent children, 66 cases had been continued at least once. As many as 35 of these continuances had lasted from 1 to 3 months, 20 from 4 to 10 months, and only 11 had been continued for less than 1 month. Continuances of less than one month were for the most part necessary for technical reasons, such as changing the petition from delinquent to dependent, feeble-minded or truant, or in order to bring into court persons interested in the case. Sometimes these arrangements cause long continuances that are very difficult to bring to an end.

THE FINAL ORDER.

The final order of the court does not always result in treatment that differs from the treatment under an order for continuance for a definite period. It creates a different status, however. It is more definite. The case is no longer frequently brought before the judge but can be reopened only by a new petition or a notice of rehearing. In cases of feeble-minded and truant children and under the mothers' pension law the possible methods of disposition are limited by the special character of these cases. The methods of disposition in such cases will be briefly indicated, and the remainder of the chapter

will be devoted to the more complicated methods of handling cases of delinquent and dependent children.

Table IX shows the disposition of feeble-minded cases for each year, beginning with 1915, that is, with the first year that the court was given jurisdiction in cases of feeble-minded children.

TABLE IX.—*Disposition of cases, by year; cases of feeble-minded children heard by the juvenile court, 1915–1919.*[1]

Disposition.	Cases of feeble-minded children heard by the court.				
	1915	1916	1917	1918	1919
Total	(2)	79	60	58	74
Dismissed	(2)	4	4	1	6
Continued generally	(2)	4	4	6	4
Committed to State school for the feeble-minded	39	71	52	51	64

[1] Figures for fiscal years ending Nov. 30. Charity Service Reports, Cook County, Ill., 1915–1919. Figures for 1920 are: Dismissed, 3; continued generally, 14; committed to State school for the feeble-minded, 41.
[2] Figures not available.

As might be expected, by far the greater number of such cases are committed to the State school for the feeble-minded at Lincoln, since a feeble-minded petition is never filed until after an examination by the Institute for Juvenile Research and a recommendation for institutional care. The capacity of the State school is inadequate to care for all the feeble-minded needing institutional care and as a result the court is obliged to commit only those children whose need is most pressing. Even so, the school can not receive all the children committed by the court, and the detention home is frequently obliged to care for these children for months pending their transfer to the institution.

Table X shows the disposition of truant cases in 1919, the first year since the establishment of the Chicago Parental School for Girls. The school for boys has been in existence since 1902.

TABLE X.—*Disposition of cases, by sex of child; truancy cases heard by the juvenile court, year ending Nov. 30, 1919.*[1]

Disposition.	Truancy cases heard by the court.			
	Total.		Boys.	Girls.[2]
	Number.	Per cent distribution.		
Total	623	100.0	570	53
Dismissed	15	2.4	11	4
Continued generally	47	7.6	40	7
Placed on probation to truant officer	63	10.1	61	2
Committed to Chicago Parental Schools	498	79.9	458	40

[1] Charity Service Reports, Cook County, Ill., 1919. Figures for 1920 are: Dismissed, 24; continued generally, 49; placed on probation, 30; committed to parental school, 458.
[2] The Parental School for Boys was established in 1902; that for girls in June, 1919. Figures for girls are, therefore, for five months only.

Nearly 80 per cent of these truant children are committed to the parental schools. Children are in fact generally brought into court by the compulsory-education department of the city board of education for the express purpose of commitment to the parental school. The compulsory-education department, through its truant officers, has itself the authority to visit and supervise truant children. Thus no real need for court action exists unless the child has proved too unmanageable to be left at home and must be placed in the parental school. As previously stated the only contact of the juvenile court or its officers with the truant child is through the hearing in the court. The work of supervision as well as that of investigation is performed by the compulsory-education department.

The order in a mother's pension case may take the form of "dismissed," "granted," "increased," "reduced," or "stayed," that is, discontinued.

In dealing with delinquent children the court is acting under the law to which it owes its existence and attacking the problem for which is was primarily created.

Table XI gives the final orders of the court in cases of delinquent children during the five-year period, 1915–1919.

TABLE XI.—*Disposition of case, by sex of child; delinquency cases heard by the juvenile court, 1915–1919.*[1]

Disposition.	Cases of delinquent children.			
	Boys.		Girls.	
	Number.	Per cent distribution.	Number.	Per cent distribution.
Total	11,799	100.0	3,344	100.0
Dismissed	1,020	8.6	425	12.7
Continued generally	2,751	23.3	111	3.3
Placed on probation	4,113	34.9	1,039	31.1
Committed to institutions	2,603	22.1	1,333	39.9
Guardian appointed	621	5.2	330	9.8
Placed in hospitals and in schools for defectives	16	0.1	7	0.2
Deported	6	0.1	2	0.1
Held to the grand jury	70	0.6	.....	.....
No change of order in rehearings[2]	599	5.1	97	2.9

[1] Compiled from figures for fiscal years ending Nov. 30. Charity Service Reports, Cook County, Ill., 1915–1919. For 1920 the figures are: Boys, 1,912; girls, 638. For 1921 they are: Boys, 1,754; girls, 661.
[2] A rehearing is counted as a new case.

For both boys and girls probation and commitment to institutions are the most important orders, including 57 per cent of the boys' cases and 71 per cent of the girls' cases. A comparatively small number are placed under the care of a guardian, committed to hospitals or schools for defectives, deported, or held to the grand jury for indictment on criminal charges. "No change of order" indicates

merely that a case has been reheard but that the disposition of the child remains the same as before.

Before discussing the various methods of treatment set forth in Table XI it is well to consider a similar table dealing with dependent children; for at certain points the treatment of dependent and delinquent children overlap, and the machinery of the court set up for one group serves also the other group. In Table XII is presented the disposition of cases of dependent children during the period 1915–1919.

TABLE XII.—*Disposition; dependency cases heard by the juvenile court, 1915–1919.*[1]

Disposition.	Cases of dependent children.	
	Number.	Per cent distribution.
Total	10,631	100.0
Dismissed	635	6.0
Continued generally	584	5.5
Placed on probation	2,805	26.4
Committed to institutions	4,330	40.7
Committed to child-placing societies	491	4.6
Guardian appointed	1,341	12.6
Placed in hospitals and schools for defectives	63	0.6
Deported	46	0.4
No change of order in rehearings	336	3.2

[1] Compiled from figures for fiscal years ending Nov. 30. Charity Service Reports, Cook County, Ill., 1915–1919. In 1920 there were 1,262 cases of dependent children; in 1921, 1,292.

In 26.4 per cent of the cases of dependent children, the child was placed on probation, and in 40.7 per cent committed to institutions. Commitment to child-placing societies, appointment of a guardian, placing in hospitals, and deportation provided for the remainder of the group.

Probation.

Cases placed on probation, as shown in Tables XI and XII, include 34.9 per cent of the delinquent boys, 31.1 per cent of the delinquent girls, and 26.4 per cent of the dependent children. The probation order means that the child may live in his own home or in the home of relatives or close friends designated by the court, subject to the supervision of the district probation officer. The policy of the court is to use this order whenever the circumstances are not such as to render it obviously imprudent. The court prefers to make its errors on the side of too frequent rather than too slight use of probation.

The number of cases in which children were placed on probation in their own homes and in family homes other than their own is shown in Table XIII.

Securing medical aid.
Securing employment for different members of the family.
Sending children and mothers to the country for vacations.
Making outside contacts for the family with institutions and associations such as settlements, recreation centers, etc.

The average number of families assigned to a probation officer of this division is 54.[1]

This statement of kinds of service rendered represents an ideal toward which the probation department is striving rather than an actual accomplishment, inasmuch as with the large number of cases assigned each officer it is quite impossible to secure such detailed supervision in all instances. The court recognizes the value of supervision; and the work of the officers is directed by the head of the division, who reads all reports of visits made by the officers, makes suggestions about matters needing attention, and confers with the officers about families who present special difficulties. In addition to this an attempt was made in 1919 to secure more efficient work by the adoption of a set of rules intended to serve as minimum standards for probation work. These rules were drafted by a committee of the heads of the divisions and are as follows:

1. Read record before going out on case.
2. First visit within one week; report of first visit should include—
   (a) Tentative plan.
   (b) Definite statement of reason for court action and what should be accomplished by probation.
   (c) Environment sheet must be completely filled out if same was not done at time case was brought into court.
   (d) Definite information must be given as to the name and address of employers of the working members of the family as well as amount of wages.
   (e) First report must be plainly and definitely marked "first report" so that same can be marked by typist.
3. Division head to specify minimum number of visits on each case per month and how frequently child and should be seen.
   (a) Division head will notify officer on receipt of first report as to this.
   (b) Division head will also make such notation on the record.
4. Report of child's progress in school should be made once a month; if same is unsatisfactory, matter should be taken up at once.
   (a) School reports will give information as to improvement, attendance, application, appearance, and any other information gained from teacher and principal.
   (b) School report should be plainly marked "school report" so that same can be marked by the typist.
5. Every member of the family and household should be seen at least once during the probation period.
6. At the end of a six months' probation a summary should be made showing what was accomplished, and if the cases for court action has not been remedied, why.

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[1] Cherry Service Reports, Cook County, Ill., 1919, p. 117.

... family supervision
... after they have been
... brought into court.
... officers having
... supervision over
... girls, when the girls
... their work and
... as their families.
... children it is con-
... the child is living is
... occasionally, if cir-
... are directed to report
... convenient place.
... under the supervision of
... all of whom are ...
... the head of that division
... way as that described
... as well as to the officers
... work is primarily with the
... the importance of family
... difficulties they may
... better adapted to ...

... own homes at least one
... their visits to the boys
... times, usually at a settle-
... the institution does not object
... successful, but he
... is convinced that the
... outweigh its ad-
... officer allowed to take
... are always used
... the rules quoted above
... the officers, but
... demand. School
... school; employers
... obtained with the
... that attempts
... the discharge of
... the part of the
... Special attention
... period, as this

... the individual
... about the actual

work of probation. In reading a number of cases selected at random it has been apparent that the rules of the department are not slavishly followed. They are, if these cases are typical, often overlooked, sometimes with good reason, sometimes apparently through carelessness. The following summaries of cases of children placed on probation for a considerable period of time will present a better picture of the situation than any general statements could convey. Despite the inadequacy of the records, some idea may be gained from these cases of the difficulties both of the child and the probation officer.

Edward O., a fatherless delinquent boy 14 years old, had been on probation for nine months when the case was read. He was one of eight children. Three older boys were living at home and supporting the family. He was brought into court first in 1917, when he was accused of throwing a stone and breaking a church window. He denied the charge, and as no evidence was produced in support of the charge, the court was satisfied with his denial and the case was "continued generally."

Edward was next brought to court more than a year later after stabbing and wounding another boy. His mother was working. An older brother offered to pay the costs and promised to look after the boy, but the court ordered Edward to pay $3 a week for three weeks to pay the doctor's bill. (He was at that time earning $10 a week, but the record does not give his occupation.) The case was continued under the supervision of a probation officer who received payments from the boy but reported no other supervision or visits. When the required payments had been made in April, 1919, Edward was placed on probation. The probation officer reported his first visit one month later. Edward was then working at "some steel company" as an errand boy, earning $9 a week. Three more visits to the home were reported during the next five months, but the boy himself was not seen until October 25, when he was out of work. The probation officer sent him to the vocational bureau to get a job, but received no report and did not see him again until he was again brought into court on December 1. A few days before this the officer had visited Edward's mother and happened to learn that the boy had stolen $5 from his mother, had run away from home, and finally had been arrested for stealing some flashlights from an automobile. A police probation officer had filed a petition. The case was continued under supervision. The subsequent history may be summarized as follows:

The next day after the hearing Edward reported to probation officer and was sent to the vocational bureau to get a work certificate. Got a job as errand boy at $10 a week.

Three weeks later: Visit of probation officer to mother. Report favorable.

Two weeks later: Case in court on continuance. Probation officer had not seen boy since day after hearing, but reported his conduct satisfactory and recommended probation. Court ordered probation.

Three weeks later: Probation officer visited mother. Report favorable.

Two weeks later: Vocational bureau notified probation officer that boy had been discharged for unsatisfactory work. Probation officer promised to visit but did not do so.

Five days later: Vocational bureau requested probation officer to call at office, as boy had stolen $2 from doctor's office while waiting to be examined. Advised court action, but probation officer decided to have a psychopathic examination first, which showed a mental age of 12 years; that is, some retardation.

using her eyesight. The court therefore continued the case for three months. At the end of this time the report as to the girl's condition was still unfavorable, but a probation officer reported favorably upon the aunt's home, and the judge released Frances on probation on condition that she be given close supervision.

For two months Frances remained in her aunt's home helping with the housework. The probation officer visited twice during this time. When the officer visited the aunt the next month, Frances was in the county hospital for eye treatment. She remained in the hospital for three months and the officer visited her once more. For nearly three months more conditions remained about the same. Frances staying with her aunt and doing very well. Then the aunt reported to the probation officer that Frances was having immoral relations with one of her workers. Up to this time there has been no mention of lodgers in the home. The court physician reported that Frances was pregnant. Nearly two months later the probation officer visited and found that Frances had been away from home for two weeks. After several weeks it was discovered that she had been living with a man and working to support him.

The case was then brought into court for hearing. Frances's statements seemed to point to the fact that her aunt was keeping a disorderly house. When the home was first visited a man was present, but the aunt had told the probation officer that he was not living there and that she had no lodgers. She admitted in this hearing that she had had lodgers at that time. The case was continued for a week for further investigation, but when brought in again the aunt was ill. Since Frances had no other place to go and the aunt needed her help, the court made no change in order. The report was read a few days after this hearing.

Mrs. M asked the court to place her five children—three girls and 2 boys all under 14. Her husband's whereabouts was unknown, and she was working as a waitress earning $ a week. During the investigation the mother was arrested for shoplifting. She was sent to the county jail for 10 days, and meanwhile the children were placed in the detention home. While in jail the mother was given a mental examination and was reported to be feeble-minded and "almost a moron."

November 26, 1923: First hearing. The mother's statements seemed quite extraordinary and unreliable. The case was continued for investigation of the father, who, according to Mrs. M, had died in France. The children were placed in a nursery boarding home.

December 3, 1923: Mrs. M left the boarding home and applied at a police station for lodging, saying she had no money.

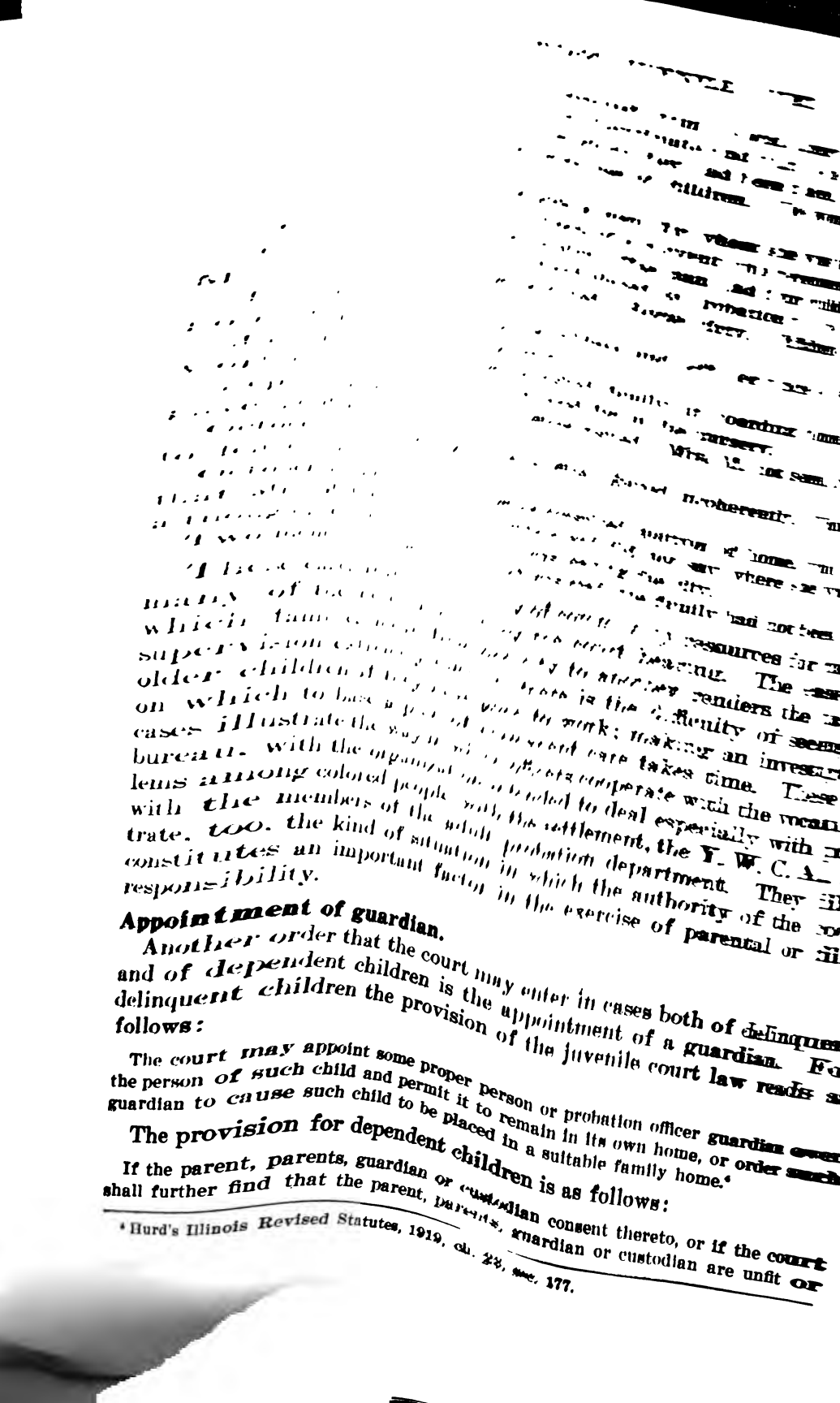
December 12, 1923: Case in court. Mrs. M still unreliable. Case continued under supervision of child-placing division.

December 21, 1923: Mother joined in the adult probation class of the municipal court in the psychopathic hospital for observation. All the children taken to a receiving home in a storm.

January 4 and 11, 1924: Case in court. Mother still in hospital and case continued.

January 18, 1924: Mother called at court asking for children. Had been discharged from hospital diagnosed as psychopathic unfit to care for the children.

January 25, 1924: Case in court. Louise aged 13 and 3 the next 11 committed to an industrial school for detention girls. John aged 4 and Mary aged 2 to an orphanage. Adult probation officer is to be responsible for the children.



Appointment of guardian.

Another order that the court may enter in cases both of delinquent and of dependent children is the appointment of a guardian. For delinquent children the provision of the juvenile court law reads as follows:

The court may appoint some proper person or probation officer guardian over the person of such child and permit it to remain in its own home, or order such guardian to cause such child to be placed in a suitable family home.[4]

The provision for dependent children is as follows:

If the parent, parents, guardian or custodian consent thereto, or if the court shall further find that the parent, parents, guardian or custodian are unfit or

[4] Hurd's Illinois Revised Statutes, 1919, ch. 23, sec. 177.

improper guardians or are unable or unwilling to care for, protect, train, educate or discipline such child, and that it is for the interest of such child and the people of this State that such child be taken from the custody of its parents, custodian or guardian, the court may make an order appointing as guardian some reputable citizen of good moral character to place such child in some family home or other suitable place which such guardian may provide for such child.[5]

This order is used in general in those cases in which it appears that the arrangement made must be of relatively long duration; that is, when the home is unfit and no possibility of its improvement appears to be likely in the near future, when both parents are dead and no relatives are found to care for the child, and when the mother is dead and the father is unable to provide care for the child and prefers placing in a family home to commitment to an institution. In cases of delinquent children special consideration is given to the possibility of the child's making good in new surroundings.

The order appointing a guardian may be stated in either of two forms, "with the right to place" or "with the right to consent to adoption." The second of these two orders was authorized by an amendment to the juvenile court law passed in 1907 and providing that—

the court may in its order appointing such guardian empower him to appear in court where any proceedings for the adoption of such child may be pending, and to consent to such adoption; and such consent shall be sufficient to authorize the court where the adoption proceedings are pending to enter a proper order or decree of adoption without further notice to or consent by the parents or relatives of such child.[6]

The order giving the guardian the right to consent to adoption, a stronger order than the one merely giving the right to place in a home, is used only in those cases in which it is desired to effect a permanent separation of the child from its parents or from those who have the custody of the child. This order, it should be noted, gives the guardian only the right to consent to adoption; no child can be adopted until a proper petition has been filed in a court of competent jurisdiction and the fact established that the state of affairs justifies adoption. The effect of this order is that the parents from whom the child has been taken by court order need not be made defendants in the adoption proceedings as would otherwise be required.

The comparative infrequency with which the order appointing a guardian is used is indicated in Tables XI and XII. Only 5.2 per cent of the cases of delinquent boys, 9.8 per cent of the cases of delinquent girls, and 12.6 per cent of the cases of dependent children have been disposed of in this manner, in contrast with 34.9 per cent, 31.1 per cent, and 26.4 per cent, respectively, placed on probation, and 22.1 per cent, 39.9 per cent, and 40.7 per cent committed to institutions. It is,

[5] Hurd's Illinois Revised Statutes, 1919, sec. 175.
[6] Ibid., ch. 23, sec. 183.

however, an important authority for the court to possess. Such an authority would be an essential factor in a policy of child-placing were the court ever given the resources to develop the field of placing in family homes as a substitute for the institutional care on which it must at present so largely rely.

The "reputable citizens" appointed as guardians are either persons known to the parent, though such persons are rarely appointed, or officers of the court. In the cases of both delinquent and dependent girls and a few of the younger dependent boys the officer appointed as guardian is the head of the child-placing division. This division was organized about 1914 in order to provide private boarding homes for semidelinquent girls, for whom a change of environment was considered advisable and who were not delinquent enough to be sent to an institution for delinquent girls. The work soon proved so useful that the division extended its activities to dependent children also. The annual report of the juvenile court for 1918 gives the following account of the work of this division:

> Officers of the child-placing division place in family homes or in private institutions children who have been committed to their care by the judge of the juvenile court. During the past year 704 children, approximately one-third of whom were delinquent girls and the other two-thirds dependent boys and dependent girls, were so placed. No public money is paid for the support of these children. In some cases the parents pay the child's board. The older schoolgirls and girls of working age, who are placed in family homes, receive compensation ranging from $1.50 to $6 per week for services which they render in these homes. On December 1, 1918, 423 children were in the care of officers of this division.[7]

Most of the girls placed are 15 or 16 years old. An effort is usually made in the case of dependent girls to secure for them positions as mothers' helpers, a type of work chosen because it brings the girl into intimate relationship with the family life and puts her under the close supervision of her employer. Delinquents and semidelinquents are more likely to be employed as maids in private families. Children under 12 years of age are generally placed in institutions, though sometimes in free private homes where they may be given the opportunity to go to school.

Applications from women who wish to take wards of the court into their homes are investigated by a special officer of the division. She is expected to visit the home and to talk with the mistress, to learn the composition of the family and the number and condition of the rooms, and to assure herself that the girl will have a bedroom of her own which is provided with a key. No effort is made to see other members of the family, and the woman's word is taken as to the absence of boarders. At least two persons, not relatives.

[7] Charity Service Reports, Cook County, Ill., 1918, p. 219.

given as references by the family, are also visited. Any woman who wishes to take a girl must agree to the following conditions:

1. That the girl be allowed to attend night school if she chooses.
2. That she report twice a month alone in person to her probation officer at the Mary B Home.
3. That she shall not be required to do any washing.
4. That she is to be in the house by 9 o'clock at night.
5. That she is not to go out in the evening with anyone of whom the mistress of the house does not approve.

The extent to which these instructions are carried out by the officer can not be judged from the records of the division, as those records are very slight. The results of the carefully outlined investigation of homes are not recorded in detail. The only report of conditions in a foster home selected by the division, aside from remarks entered in the case records of an individual child, is that recorded on a four by six card which contains the name and address and the number of persons in the home.[7a]

One of the great difficulties with which the child-placing department was formerly confronted was that of finding working homes for girls fresh from the court room. They are likely at first to appear too friendless and woe-begone to be attractive to strangers. Thus a pleasant temporary home where the girls might rest and recover self-possession and a little courage was greatly needed. This need was met by equipping from private funds two small clubs to which girls could be sent directly from the court. One, known as the Mary B, is for dependents; and the other, the Mary A, is for semidelinquents. The board of directors publishes a circular in which the clubs are described as follows:

> In 1914 money was raised to furnish a six-room flat, which later grew into a two-story-and-attic house. Here the girl remains for a day, a week or perhaps longer, as the case requires, the thought back of the home being to acquaint her with the requirements, responsibilities, and joys of real home conditions. She is helped to wash and mend her clothing and takes part in the pleasures as well as the work of the household. If frail and undernourished, she remains until able to take a place where she may earn her livelihood or perhaps work her way through school. If adenoids or tonsils should be removed, she is cared for at the club while convalescing from these minor operations. While her physical wants are thus cared for, the moral and spiritual help she receives from the knowledge that somebody really cares about her welfare and that there is a place she may always call home, brings to her self-confidence and courage to take her place in life.
>
> The need of the girl whom we might term a semidelinquent was quite as urgent as that of the dependent girl, and friends came forward again in 1916 and established a second home.

The Mary B club for dependents accommodates 18 girls; the Mary A cares for 8.

[7a] Since this writing a new system of records for the child-placing department has been established and complete reports of investigations of foster homes are now kept on file.

Many of these girls are entirely destitute except for the clothes they are wearing, and before leaving the club for a new home each girl is given a small suit case containing a change of underwear, a night dress, a comb and brush, and various other articles necessary for care of the person and helpful in properly starting a new career.

No girl committed by the court to the head of the child-placing division may be released, without special application to the court, before she has reached the age of 18. During this period the girl is under the close supervision of some officer in the division who must make monthly written reports to the head of the division. Every two weeks, as has been stated, the girl reports to the officer, and she is visited once a month in her home. When the girl has shopping to do, she brings her wages and is assisted by the officer in making her purchases. The division handles savings accumulated by the girls that range from $5 to $450. The social life of these girls has received special attention during the last two years. On Sundays they may entertain their callers in the Mary B home. Outings, concerts, and entertainments are arranged for by societies interested in the recreation of young girls. In general, girls under 17 are not allowed to receive callers in their homes, though exceptions are made in special cases.

Until recently the officers of the child-placing division worked only with children who were to be placed in homes and had no contact with the child's own home. These officers are now required to keep in touch with the home as well, and to make an effort to deal with the entire family situation.

It frequently happens that when a girl reaches the age of 16 and is free to select an occupation she prefers an occupation other than domestic work, such as, for example, that of telephone operator or office work. In that case the department finds for her another home where she can pay board. Although wards of the division are released from guardianship at the age of 18, they frequently avail themselves of the help and advice of the officers for a few years longer.

The following case supervised by the child-placing division illustrates the difficulties of finding satisfactory homes, the danger of delinquency developing in uncongenial surroundings, and the methods employed by the division:

Victoria J., aged 17. Father and mother both dead. Under the court's care as a dependent since 1910. She had been at first on probation, later placed in an institution for dependents, and since October, 1915, had been under the care of the child-placing division. During this time she had remained for three years in one family home which proved to be very satisfactory. Then her custodian died, and during the next nine months she was placed in four different homes. She was not contented in any of these, complained of being ill, and upon examination was found to be pregnant. She was then sent to a

maternity home, but the matron found her unruly and refused to keep her. On October 8, 1919, she was brought into court on a delinquent petition. A mental examination two days before this showed her mental age to be 12 years. The case was continued five months under the supervision of the child-placing division.

October 8, 1919: In court. Continued to January 5, 1920. Maternity home willing to give another trial.

October 14, 1919: Sent with probation officer's approval to work in the kitchen of a large hospital until her confinement.

January 5, 1920: Confinement. Arrangements made for Victoria and baby to go to an infant's home until bastardy case against the man responsible is heard.

March 1, 1920: Baby died. Victoria in family home. Man paid burial expenses, and bastardy charge dismissed.

March 19, 1920: In court. Delinquent petition dismissed.

April 8, 1920: Victoria complains of loneliness in private home.

June 10, 1920: Custodian reports Victoria keeping late hours.

July 5, 1920: Continues to keep late hours. Custodian suspects immorality.

July 9, 1920: Victoria admits immoral relations. Taken to detention home.

July 12, 1920: Case in court on delinquent petition. Victoria committed to the House of the Good Shepherd.

In the cases of delinquent boys and dependent boys over 12 years of age, the guardian appointed is the head of the delinquent boys' division, who assigns the care of these boys to three officers of the division, two handling cases of Catholic boys, the third those of Protestant boys. The two Catholic officers have 180 boys under their care, and the Protestant officer has had as many as 90, but in 1920 he reported about 50. Although the boy may be placed in any situation that the officer deems suitable, and some boys are allowed to enlist in the Army or Navy, a farmer's home is generally selected. It has been the experience of the officers that the farm with its outdoor life, contact with animals, and opportunities for hunting and swimming, makes a strong appeal even to the city-bred boy and often proves so attractive to him that he remains on the farm after his period of supervision by the court is over. This terminates by law at his twenty-first birthday, and may be ended before that time.

No specific regulations governing the activities of these officers exist. Each one is given great latitude in working out his own method of procedure. Farms within a radius of 50 miles of Chicago are usually investigated personally by the officer who has been assigned the case. Farms at a considerable distance from Chicago are not personally investigated, but references from prominent citizens in the town near which the farmer lives are taken instead. Until about 1920 boys were widely scattered over Illinois and adjoining States, but since that time an effort has been made to place them on farms within convenient distance of Chicago. Each officer has his own standards of conditions which make a farm a suitable place for a boy. Moreover, these standards vary according to the

individual needs of the boy concerned. Comfortable quarters, arrangements for bathing, and wages of at least $10 a month to cover the cost of clothing are some of the requirements. No stipulation about conditions of work is made, but farmers with a reputation for overworking their employees are avoided. The officer is not in a position to make too precise demands because the farmer feels that it is a favor to take the boy at all. In selecting a farm, the character of the boy is always kept in mind. For instance, a home with young children would not be selected for a boy who had immoral tendencies, nor one with unusual opportunities for stealing for a dishonest boy. Although the officer states the truth when asked, he avoids going into detail about the boy's past record.

If a boy is not satisfied with the first home in which he is placed, he is given a chance to try others. Rarely an officer brings a boy back to court. He prefers changing him about many times to giving up the plan of placing him on a farm.

As in the child-placing division, the officers make a monthly report with regard to each child under their care. The boys make no regular reports to the officers. Those at a distance write letters, while those near Chicago are frequently conferred with by telephone and visited approximately every six weeks. As many of the boys as possible are sent to a particular district about 50 miles from Chicago because of the greater ease of supervision. The sheriff of the county in which this district lies is especially interested in keeping in touch with the boys and makes them feel that they can come to him if they get into any difficulty. Cooperation of public officials with probation officers is of peculiar importance when, of necessity, the officer is not readily accessible to his charges.

Boys under the guardianship of these officers are encouraged to go to school, but it is seldom that they attend beyond the age of 16. Those wishing to go to high school are not sent out on farms. The problem of securing education for even the younger boys presents difficulties, owing to the dislike of school authorities and parents for having city boys, many of them with undesirable records, attend the small country schools.

Commitment to child-placing societies.

A small proportion of dependent children, 4.6 per cent, as shown by Table XII, were committed to child-placing societies during the five-year period 1915–1919. The only societies of whose services the juvenile court now avails itself are the Illinois Children's Home and Aid Society, the Jewish Home Finding Society of Chicago,[8] and the

[8] Now a division of the Jewish Social Service Bureau.

Catholic Home Finding Association of Illinois. The effect of this order is not essentially different from the preceding, except that the care of the child passes to others than court officers. Children committed to these societies are placed in family homes or in institutions and are supervised by agents of the societies. No reports are required from these agencies, but the Illinois Home and Aid Society reports every three months to the chief probation officer regarding children received for placing but not for adoption. The court, however, takes no action upon these reports and a change in the status of the child is made only at the request of the society.

Commitment to hospitals and schools for defectives.

The juvenile court law gives the court authority to place a delinquent or dependent child found to be in need of medical care in a public or private hospital or institution for special treatment.[9] In a small number of cases, less than 1 per cent of each group in the period 1915 to 1919,[10] the child was committed to such institutions. Most of these children were placed in the county hospital and the county tuberculosis sanitarium, but a few were sent to the State school for the blind and to a home for destitute crippled children in Chicago. In these cases in which a child is to be placed in a public institution at county expense the procedure is commitment to the county agent.

Deportation.

A few children each year are deported.[10] This means usually that they are turned over to the county authorities to be returned to other counties or States in which the family has a legal residence.

Commitment to institutions.

An order for commitment to an institution is a last resort on the part of the court. Most delinquent children are tried on probation or are placed in family homes before it is finally thought to be necessary to place them in institutions. In cases of dependent children perhaps even greater effort is made to find a suitable and normal home environment before resorting to commitment to an institution. Nevertheless, from Tables XI and XII it appears that in 22.1 per cent of the cases of delinquent boys, 39.9 per cent of the cases of delinquent girls, and 40.7 per cent of the cases of dependent children, the child was committed to an institution, a higher proportion of the last two groups than that of cases in which the child was placed on probation. This is largely due to the fact that for dependent children every possible plan is tried before bringing the case into court, while the seriousness of the offense and the difficulty of supervising a girl in the old sur-

[9] Hurd's Revised Statutes 1919, ch. 23, sec. 177b.
[10] See Tables XI and XII, pp. 70 and 71.

roundings often makes commitment the only possible plan for the delinquent girl.

Dependent children.—The juvenile court law provides for the commitment of dependent children to "some suitable State institution," to a manual-training or industrial school, or to a private association.[11] As a matter of fact, only one institution for dependent children supported by public funds is in existence, the Soldiers' Orphans' Home at Normal, Ill. This institution is at present used by other counties of the State for dependent children as well as for soldiers' orphans, but is used by Cook County only for its original purpose. With the exception of a few orphanages, therefore, the institutions to which dependents can be sent are those organized under the acts establishing industrial schools for girls and manual-training schools for boys.[12] Under these acts any seven persons with the approval of the governor and the secretary of State may incorporate to maintain an institution for the education and care of dependent children.[13] When organized under these acts they have certain privileges not given to other private associations, by far the most important of which is the right to receive from the county $15 a month for each girl and $10 a month for each boy committed to their care by order of the court. Under these circumstances it is not surprising that in Cook County one after another of the institutions caring for dependents has reorganized under the industrial or manual training school act[14] until there are now 18 such schools in the county, 10 for boys and 8 for girls. Most of the schools are organized for children of foreign-born parents, along national and religious lines, and the court, as required by law, exercises scrupulous care in committing children to institutions where they will be given religious training in accordance with the faith of their parents.

The policy of the court with reference to the commitment of dependents to institutions has always been to avoid commitment whenever possible, in accordance with the principles set forth by the White House Conference of 1909 that "Children of worthy parents or deserving mothers should, as a rule, be kept with their parents at home" and that "Homeless and neglected children, if normal, should be cared for in families, when practicable."[15] The court has been hampered in carrying out this policy by the fact that there has been no public money available for the support of children in boarding homes and the resources of private agencies have been inadequate. Under these circumstances the court has been forced to commit to institutions

[11] Hurd's Illinois Revised Statutes, 1919, ch. 23, sec. 175.

[12] See p. 3.

[13] Hurd's Illinois Revised Statutes, 1919, ch. 122, secs. 320–347.

[14] Ibid., ch. 23, sec. 185.

[15] Proceedings of the Conference on the Care of Dependent Children, Held at Washington, D. C., Jan. 25, 26, 1909, p. 8. Washington, 1909.

children whom it was necessary to separate from their parents, unless the separation promised to be of such long duration that more or less permanent placing in a family home was possible.

When the parent or parents are financially able to contribute to the support of their children in an institution the court has authority to order the payment of a stated sum each month.[16] This money is not paid directly to the institution, but to the clerk of the court and is turned over by him to the county treasurer, who pays the institution. If parents fail to make the payments ordered, they may be brought before the court on contempt proceedings and punished by commitment to the county jail. The process, however, is cumbersome, and enforcement of orders by this means is very difficult. In recent years the major part of the time of one officer has been devoted to this work, with the result that collections on orders for support of children, either under guardianship or in institutions, have increased from $1,107.66 in 1912 to $48,513.84 in 1920.[17]

Delinquent boys.—Two public institutions are available for the care of delinquent boys, one the St. Charles School for Boys, maintained by the State, and the other the Chicago and Cook County School for Boys, jointly maintained by the city of Chicago and by Cook County. The policy of the court is against commitment of first offenders except for the most serious offenses, and against commitment until the boy has been given every chance to make good under some other treatment. Boys who have committed serious offenses and frequent repeaters are sent to the St. Charles School for Boys for an indefinite period that may legally extend through minority unless the boy is previously released. For first commitments or in cases of less serious nature the boy is usually sent to the Chicago and Cook County School for Boys, where the period of detention is shorter, varying from a few weeks to perhaps a year, depending upon behavior.

The Chicago and Cook County School for Boys was established in 1915 to take the place of the John Worthy School in the house of correction. It will be recalled that separate housing of the boys committed to the house of correction had first been brought about. Later a school in the confines of the institution was organized and the segregation of the boys was effected. In 1915 the use of that school was replaced by commitment to a farm school.

Table XIV shows the number of boys committed to these various institutions in each of the years 1915–1919.

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[16] Hurd's Illinois Revised Statutes, 1919, ch. 23, sec. 190.

[17] Charity Service Reports, Cook County, Ill., 1920, p. 240.

TABLE XIV.—*Institution to which committed, by year; cases of delinquent boys committed to institutions, 1915–1919.*[1]

Institution.	Cases of delinquent boys committed to institutions.					
	Total.	1915	1916	1917	1918	1919
Total	2,603	425	379	453	493	853
Chicago and Cook County School	1,130	3	153	202	252	520
John Worthy School	166	166				
St. Charles School for Boys	1,307	256	226	251	241	333

[1] Figures for fiscal years ending Nov. 30. Charity Service Reports, Cook County, Ill., 1915–1919. For 1920 the figures are: Chicago and Cook County School, 444; St. Charles, 193. For 1921 they are: Chicago and Cook County School, 460; St. Charles, 178.

About 60 per cent of the commitments in 1919 were to the Chicago and Cook County School, the remainder to St. Charles.

Delinquent girls.—Delinquent girls may be committed to one of three institutions, the State Training School for Girls at Geneva, the House of the Good Shepherd—a Catholic home—and the Chicago Home for Girls, Protestant, though nondenominational. The last two receive per diem payments from the city of 40 cents a day for each girl, paid through the city house of correction. Only girls from the city would be sent to either of these institutions. The Chicago Home for Girls also receives a considerable sum from private contributions.

Table XV gives the number of girls committed to each of these institutions in the five years, 1915–1919.

TABLE XV.—*Institution to which committed, by year; cases of delinquent girls committed to institutions, 1915–1919.*[1]

Institution.	Cases of delinquent girls committed to institutions.					
	Total.	1915	1916	1917	1918	1919
Total	1,333	257	210	279	286	301
Chicago Home for Girls	234	54	40	57	44	39
State Training School for Girls at Geneva	439	81	61	85	97	115
House of the Good Shepherd	660	122	109	137	145	147

[1] Figures for fiscal years ending Nov. 30. Charity Service Reports, Cook County, Ill., 1915–1919. For 1920 the figures are: Chicago Home for Girls, 31; Geneva, 84; House of the Good Shepherd, 100. For 1921 they are: Chicago Home for Girls, 54; Geneva, 50; House of the Good Shepherd, 132.

With certain exceptions, delinquent girls are sent to the State school in only the more serious cases. About 60 per cent of them were committed in 1919 to the Chicago Home for Girls and the House of the Good Shepherd. The State school will not receive pregnant girls and these are committed to the Chicago Home for Girls.

Transfer to the criminal court.

The juvenile-court law provides that the court may in its discretion permit a delinquent child to be proceeded against in accordance with

the laws of the State governing the commission of crimes or violations of city ordinances.[18] This authority has been exercised in serious cases involving a few boys each year. The delinquent petition is dismissed, and the boy is held to the grand jury for indictment on a criminal charge. In Table XVI the number of such cases is given for each year since 1915.

TABLE XVI.—*Cases held to the grand jury by the juvenile court, by year; delinquent boys, 1915–1919.*[1]

Year.	Cases of delinquent boys.		
	Total.	Held to the grand jury.	
		Number.	Per cent.
Total	11,799	70	0.6
1915	2,326	24	1.0
1916	2,192	25	1.1
1917	2,328	7	0.3
1918	2,306	2	0.1
1919	2,647	12	0.5

[1] Figures for fiscal years ending Nov. 30. Charity Service Reports, Cook County, Ill., 1915–1919. In 1920, 17 cases were held to the grand jury; in 1921, 6.

The proportion of cases disposed of in this manner as compared with all cases of delinquent boys appears from Table XVI to be very small, less than 1 per cent during the five-year period 1915–1919. All these boys were at least 16 years of age. Many had been tried on probation or had been at one time committed to institutions for delinquent boys. A few had never been in court before but were nearly 17. The offenses charged were for the most part deeds of violence, daring holdups, carrying guns, thefts of considerable amounts, and rape. The decision of the judge in these cases usually depends upon his belief that the boy is too experienced in wrongdoing to be manageable in the State institution for delinquent boys and that he should therefore be committed to the State reformatory established for boys between 16 and 26. A boy can not, however, be committed to this institution under the juvenile-court law but must be transferred to a court having criminal jurisdiction. The judge is also cognizant of the fact that in many of these cases the officers of the court have tried for some time and have failed to effect any change in the boys. No detailed study of these cases has been possible. The following paragraphs, however, indicate the type of case dealt with by transfer to the criminal court:

George J. had never been in court before. With three other boys carrying a gun he held up a man and stole an automobile. The same week he and another boy robbed a store, using force with the storekeeper. He was held to the grand jury under $10,000 bond. The other boys were committed to the St. Charles School for Boys.

[18] Hurd's Illinois Revised Statutes 1919, ch. 23, sec. 177a.

Tony M. had been previously committed to the Chicago Parental School, to the Chicago and Cook County School for Boys, and to the St. Charles School for Boys. He was involved in two robberies, one the theft of an automobile.

Alex B. had previously been committed to the Chicago and Cook County School for Boys. He was accused of rape.

Joseph G. had once shot another boy and had been in the Chicago and Cook County School for Boys. He was involved with several other boys in a holdup.

William M. had been known to the court for four years. He and another boy with a revolver held up a man and took an automobile and a watch. The same night they held up a man and woman and took another watch and some money.

Herman S. had never been in court before. He was involved in two holdups, one with a gun.

Other procedure in cases of delinquent children.

Besides the methods of disposing of cases of delinquent children especially provided by law and included in the official reports of the court, other methods of treatment are sometimes used, usually to supplement an order specified in the law.

The detention home is theoretically a place for safe-keeping pending hearing and not a place for detention as a punishment. In rare instances, however, during the service of a temporary judge, children have been sent to the detention home during short continuances as a disciplinary measure.

Restitution for damages is another form of procedure not contemplated by the law. Fines as such are never imposed, but in case of theft a boy is not infrequently required to make good the actual pecuniary loss; and this practice of the court is sometimes extended to other offenses besides stealing. In one instance noted a boy was required to pay the doctor's bill of the boy he had stabbed. In another, a boy who had accidentally shot a companion was ordered to pay $2.50 a week until he had paid $20, the money to be given to the family of the injured child. The boys required to make restitution are all of working age and the amount ordered is paid in weekly installments at the office of the chief probation officer. A check is then mailed to the person who is to receive the money. During 1920 the chief probation officer received and paid out $3,706.23 in this manner.[19]

[19] Charity Service Reports, Cook County, Ill., 1920, p. 241.

SUBESEQUENT RELATIONSHIP OF THE COURT, THE CHILD, AND THE CUSTODIAL AGENCY.

The problem of retaining jurisdiction after a final order has been entered placing a child under the care of persons other than officers of the court is one of very real significance; it is, however, a problem that has not as yet been satisfactorily dealt with in Illinois. If jurisdiction over the child is to continue, the court must be able to exercise its authority in three ways: (1) By inspection or visitation to make sure that the child is receiving the proper treatment and is returned to his own home at the earliest possible moment; (2) by requiring from the custodial agency regular reports showing the disposition of each child under its care; and (3) by the exclusive power of release. Under the Illinois law, as at present interpreted, the court does not possess complete authority to exercise any of these powers.

The following provisions of the juvenile-court law apply alike to dependent, neglected, and delinquent children whether committed to the care of a guardian, to an institution, or to an association:

> The guardianship[1] under this act shall continue until the court shall by further order otherwise direct, but not after such child shall have reached the age of 21 years. Such child or any person interested in such child may from time to time upon a proper showing apply to the court for the appointment of a new guardian or the restoration of such child to the custody of its parents or for the discharge of the guardian so appointed.[2]
>
> Whenever it shall appear to the court before or after the appointment of a guardian * * * that the home of the child is a suitable place * * * the court may enter an order to that effect returning such child to his home under probation, parole, or otherwise. * * * *Provided, however*, That no such order shall be entered without first giving 10 days' notice to the guardian, institution, or association to whose care such child has been committed, unless such guardian, institution, or association consents to such order.[3]
>
> The court may, from time to time, cite into court the guardian, institution, or association to whose care any dependent, neglected, or delinquent child has been awarded, and require him or it to make a full, true, and perfect report as to his or its doings in behalf of such child; and it shall be the duty of such

[1] Whenever a child is committed to an institution, the head of that institution is appointed guardian. This should not be confused with the appointment of a reputable citizen as guardian, which is an order quite distinct from commitment. Guardianship in the provision quoted means *custody* in general, whether that of a guardian, institution, or association.

[2] Hurd's Illinois Revised Statutes 1919, ch. 23, sec. 177c.

[3] Ibid., ch. 23, sec. 177d.

guardian, institution, or association, within 10 days after such citation, to make such report either in writing verified by affidavit, or verbally under oath in open court, or otherwise as the court shall direct; and upon the hearing of such report, with or without further evidence, the court may, if it see fit, remove such guardian and appoint another in his stead, or take such child away from such institution or association and place it in another, or restore such child to the custody of its parents or former guardian or custodian.[4]

With regard to associations it is provided that—

The court may at any time require from any association, receiving or desiring to receive, children under the provision of this act, such reports, information, and statements as the judge shall deem proper or necessary for his action, and the court shall in no case be required to commit a child to any association whose standing, conduct, or care of children, or ability to care for the same, is not satisfactory to the court.[5]

These provisions of the juvenile court law seem to establish the following principles with regard to the court's jurisdiction: (1) Any disposition ordered by the court may be terminated only by a subsequent order of the court—that is, the court has sole authority to release; (2) any person may reopen the case by petition to the court; (3) the court may remove a child from custody with the consent of the guardian, institution, or association, or after 10 days' notice may remove the child *without* such consent; (4) the court may require a report from the custodian with regard to a particular child and may, with or without further evidence, remove the child from such custody; and (5) the court may at any time require such information as it desires from an association receiving children under the juvenile court law. These principles seem to give to the court a fair amount of control over the ultimate disposition of the child. The application of these principles formulated in the juvenile court law is, however, modified by the interpretation of the laws relating to State institutions for delinquent children and of the laws establishing industrial and manual-training schools for dependent children. Moreover, in some instances, even when the juvenile court's jurisdiction has appeared to be clear, the court has hesitated to press a claim against the opposition of an important and influential institution.

THE COURT AND THE GUARDIAN.

The question of the court's relation to the "reputable citizen" appointed as guardian is probably the least difficult both in theory and practice of the questions presented by these sections of the law. The policy of the court in this matter is in fact determined not so much by a principle of law as by a question of expediency. Judge Pinckney stated in 1911 before the county civil service commission[6] that

[4] Hurd's Illinois Revised Statutes, 1919, sec. 177e.

[5] Ibid., sec. 181.

[6] Testimony of Judge Pinckney in Breckinridge, S. P., and Abbott, E.: The Delinquent Child and the Home, Charities Publication Committee, New York, 1912, p. 213.

such citizens were chosen because of their reputable character and their recognized ability to care for the child and that interference by a probation officer or other representative of the court would seriously impair their service. The practice of appointing reputable citizens outside the court has, moreover, fallen into disuse almost, in recent years, and, as previously stated, the citizens usually appointed are the head of the child-placing division and the head of the delinquent boys' division, who are directly responsible to the chief probation officer.

THE COURT AND THE INSTITUTION.

The control exercised by the court over children placed in institutions is more limited than that over children placed under guardianship.

Institutions for delinquent children.

In the case of institutions for delinquent children none of the principles formulated above are held to apply. The Cook County board of visitors in 1912 reported on the question of release from these institutions as follows:

> The relation of the juvenile court to the two State institutions for delinquent children is governed definitely by statute. The custody during minority of every child committed to either of these institutions passes to the institution at the time of commitment. The responsibility for the child's care, training, and supervision rests with the institution. The length of stay of a boy in St. Charles School for Boys is determined by the superintendent and State board of administration, and so with the State Training School for Girls.[7]

The act establishing the St. Charles School for Boys[8] contains no reference to the manner of permanent release, although it is provided that the board of trustees may make such provisions as it sees fit as to placing boys in homes, obtaining employment for them, or returning them to their own homes. The act providing for the establishment of the State Training School for Girls at Geneva provides not only for parole but for permanent release by the governor of the State or by the board of trustees.[9]

As a matter of fact these two institutions and the Chicago and Cook County School for Boys[10] parole children without reporting to the court, and a violation of parole may mean return to the institution without another appearance in court. The State institutions are required by law to appoint agents to visit and supervise children released on parole. Permanent releases are made by these institutions without the knowledge of the court. They are also in some cases

[7] Report of the County Board of Visitors of Cook County, Ill., for the year ending Nov. 30, 1912, p. 22.
[8] Hurd's Illinois Revised Statutes 1919, ch. 23, secs. 191–215.
[9] Ibid., sec. 236.
[10] Established in 1915.

made by the court at the request of a parent or guardian after notice to the institution.

A somewhat different situation exists with regard to the court's relationship to private institutions receiving the custody of delinquent children. The authority of these institutions is defined only by the juvenile court law, not by separate acts such as those which govern the State schools for delinquent children. The power of a private institution to parole a child without consulting the court is not questioned, but the juvenile court law provides for the appointment by the institution of an agent to visit homes in which children are paroled "for the purpose of ascertaining and reporting to said court whether they are suitable homes." [11] The law evidently contemplated such control on the part of the court over homes in which children are placed by the institutions as may be exercised through visitation of those homes.

In the matter of permanent release by private institutions some conflict of opinion exists. The chief probation officer made an effort in 1918 to secure an agreement on the part of the private institutions to release children only through the court, but one institution, on legal advice, maintained its right under the law to effect permanent releases without court action; the assistant State's attorney assigned at the time to the juvenile court, concurred in this opinion of the institution's authority, and the effort was pushed no further. Another view of the law is at least possible, and it is to be hoped that a more liberal view of the court's power may find the opportunity of submitting the matter to judicial determination by the higher court, so that the juvenile court's claim of continuing jurisdiction over the child and exclusive authority permanently to release a child from a private institution may be affirmed, or, if finally denied by the court, obtained through amendment of the law.

The authority to require reports [12] has never been interpreted by the court as applying to public institutions, nor has the court had any power of visitation and inspection. Public institutions receiving delinquent children are subject to the inspection and control of the Illinois Department of Public Welfare, and private institutions must be certified by the same body.

Institutions for dependent children.

More serious difficulties have been met with, however, in retaining jurisdiction over dependent children. The institutions receiving these children are more numerous than those receiving delinquents, and all are under private management.

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[11] Hurd's Illinois Revised Statutes 1919, ch. 23, sec. 180.

[12] See p. 96.

The apparent intent of the juvenile court law was to limit release to the court and to subject all institutions receiving dependent children to a certain amount of control by the court.[13] It was specifically provided,[14] however, that the juvenile court law should not in any way conflict with the earlier laws providing for the establishment of the industrial and manual-training schools.[15] These acts provided for discharge at any time by the court committing, with the restriction in the case of the industrial schools that the power could be exercised only if the girl was still in the school. But the acts also provided[16] that any girl committed to an industrial school or any boy committed to a training school might be "discharged therefrom at any time, in accordance with the rules thereof, where, in the judgment of the officers and trustees, the good of the girl (or boy) or the school would be promoted by such discharge," and discharge might also be ordered by the governor of the State. The industrial and manual-training schools have therefore claimed the right to dispose of children without reference to the court. As early as 1907 the chief probation officer pointed out[17] that this procedure had already in many cases rendered ineffectual the work of the court, since children were returned almost immediately to homes that the court had declared unfit for them. An effort was made at that time to prevent the continuance of this practice by informal agreement with the institution, but the effort was unsuccessful. In 1912 the Hotchkiss committee, after investigating the relationship of the court and the institutions, made the same criticism and proposed the following remedy:

> The law should be so amended as to make each institution responsible to the court at least for continued custody of every child committed to its care. In case a child escapes from such custody notice should at once be filed with the court which should then have power to institute appropriate measures for the child's apprehension. The return of a child without court consent to an environment which the court has just found to be unfit is a humiliating travesty on judicial procedure, and is in no way necessary to uphold the autonomy of institutions.[18]

While there has been no amendment in accordance with these suggestions the practice of the industrial schools has in the last few years been somewhat modified. For a great many years the institutions had been represented at the court by police officers, commissioned as probation officers, whose primary duty it was to convey to their respective institutions the children committed. In 1917 these

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[13] See pp. 91–92 for provisions applying to these institutions.

[14] Hurd's Illinois Revised Statutes 1919, ch. 23, sec. 188.

[15] Ibid., ch. 122, secs. 333a and 347.

[16] Ibid., ch. 122, secs. 332 and 345. The words of the two acts are practically identical in these sections.

[17] Charity Service Report, Cook County, Ill., 1907, p. 123.

[18] The Juvenile Court of Cook County, Ill. Report of a Committee Appointed under Resolution of the Board of Commissioners of Cook County, p. 17. Chicago, 1912.

officers were removed by the general superintendent of police at the time of a reorganization of the police department which abolished "special details." The police department felt that the work which these officers performed could not strictly be called police work. Several of the institution superintendents felt that the institutions should not bear the expense of an officer to convey children to the institution following commitment. In the emergency the court dealt directly with the managing officers of institutions until some plan for institutional representation at the court should be worked out. The court had already made a first step in dealing directly with the institutions through the inauguration of an effort during the previous year to keep in touch with dependent children committed to institutions. To the officer in charge of this work was assigned the new task of making arrangements with the institution authorities for the admission of children, conveying children to the institutions, and conducting correspondence in matters relating to the welfare of the children. This plan still continues in effect, and the result has been most satisfactory to both the court and the institutions. Misunderstandings which were almost inevitable when transactions were made through a third person have to a large extent disappeared.

Moreover, in January, 1917, Judge Arnold obtained from the superintendents of the industrial and manual-training schools, whom he had called together for conference, an agreement to give the court 10 days' notice of an intended discharge or parole. The court was in this way given an opportunity to make an investigation and to suggest any plans it deemed advisable in connection with the disposition of the child. This arrangement has resulted in closer cooperation between the court and the institutions, though the schools have not always rigidly adhered to the agreement.

The power to require reports from these institutions, as interpreted by the court,[19] is limited to specific instances in which complaint has been made with regard to particular institutions. Thus the court does not have the authority to require periodic reports from institutions concerning their general organization or their disposition of children committed by the court. A report required in a specific instance may be made under oath and is not subject to verification by representatives of the court. For assurance that the institutions are in general performing their functions in a satisfactory manner, the court relies upon the annual certification of the State department of public welfare.

Under authority of section 18 of the juvenile court law[20] a board of visitation to inspect institutions receiving children from the juve-

[19] The interpretation is that stated by Judge Pinckney in 1911 before the county civil service commission. Later judges have for the most part followed his interpretations of the law.

[20] Hurd's Illinois Revised Statutes 1919, ch. 23, sec. 186.

nile court may be appointed by the county judge. Under section 19 this power may be exercised in counties of over 500,000 by the judge of the juvenile court.[21] It was originally held, however, that this authority lay with the county judge alone. Thus during 20 years of the court's existence the only board of visitation created was that appointed by the county judge of Cook County in 1911 and lasting only a short time. This board employed an executive secretary paid from private funds and made an investigation of the 33 institutions then receiving children on commitment from the juvenile court. The board reported to the county judge on conditions prevailing during the year ended November 30, 1911.[22] The services of a paid secretary were not retained, however, and the board ceased to function after the presentation of their report. In 1920 the judge of the juvenile court for the first time decided that authority to appoint such a board of visitation lay within his powers, and a board of two members was appointed. One member was the former chief probation officer, who was at the time superintendent of the United Charities; the other was a physician. A few institutions were visited by these gentlemen acting as a board. They are both very much overworked men; they had no secretary nor provision for clerical help, and up to the present time, except so far as the institutions visited may have profited from suggestions made by them, no obvious results of the experiment can be pointed to.

RECOVERY OF CHILDREN WHO ESCAPE FROM INSTITUTIONS.

The possibility of escape from an institution raises the interesting question of responsibility for the recovery of a runaway child. Two cases of runaway children were among the records read for this study. A 16-year-old boy who had been committed to the Chicago and Cook County School for Boys ran away from the school. A letter was received by the court from a social agency in a town in a neighboring State saying that the boy was being held in the county jail there. The juvenile court replied that the parents refused to pay his return transportation; and since the school had no funds for this purpose, the social agency would have to dispose of him as best it could.

The other case is that of a 14-year-old delinquent girl. She had once run away from home with a woman of questionable character, taking $195 from her mother and going to Mississippi. Her mother had sent her money to return. When she ran away a second time, the mother appealed to the court, and the girl was found in Chicago. She was then committed to the State Training School for Girls at Geneva, and after eight months escaped from the institution. A month later

[21] Hurd's Illinois Revised Statutes, 1919, sec. 187.

[22] Report of the County Board of Visitors of Cook County, Ill., for the year ending Nov. 30, 1911. Chicago, 1912.

the mother received a letter from a probation officer in a Mississippi town asking for authority to place the girl in the house of correction. The mother notified the court, and the court in turn informed the authorities at the institution of the situation. These authorities requested the probation officer in Mississippi to take her into custody and sent the court a notice of this action, saying, "if we are able to return her to the school, we will notify you."

In neither of these cases, then, did the court exercise the right to deal independently with the child but rather treated the costs of securing the return as a burden to be borne by the institution.

The expense incurred by a public authority of another locality within the State in returning these children to their homes could presumably be collected as a charge against Cook County. In practice this collection is not made, but Cook County often bears the expense of returning to their homes runaway children from other counties.[23] The court itself, however, and the institutions from which they escape seem to be unable to authorize such expenditure or to expedite in any way the transfer of the children.

FOLLOWING UP THE DEPENDENT CHILD AND HIS FAMILY.

Since February, 1916, the court has made an effort to keep in touch with families of dependent children who have been committed to institutions. This work grew out of an inquiry conducted by the county bureau of public welfare, which was established by the board of commissioners of Cook County in April, 1914. This bureau investigated the cases of a number of children who had been in institutions for a considerable time and who were not frequently visited by relatives. In some cases the results were startling, and the reunion of relatives and children through the bureau was in some cases dramatic. When the value of such investigations became apparent, the court itself took over this part of the work of the bureau of public welfare, and in February, 1916, began the practice of assigning officers to visit the families of children in institutions.

This work is at present under the direction of the head of the family-supervision division and under the immediate supervision of the assistant to the head. Investigation and supervision of families of dependent children in institutions are assigned to the regular district officers. The volume of work was very great when this system

[23] The problem of the "runaway" to Cook County (Chicago) is an interesting one. Six hundred and eleven such children were dealt with by the probation staff during the year 1919. In approximately 85 per cent of these cases, the parents or near relatives supply transportation for the return of the child. In those cases in which the relatives are not financially able to do this, the county agent on recommendation of the court supplies the transportation. (Charity Service Reports, Cook County, Ill., 1920, pp. 241–42.)

was established; but, with the better technique of investigation of new cases developed within the past few years, constant improvement in the follow-up work is expected. A periodic investigation and report is required by the head of the family-supervision division for every child in an institution, the interval between reports varying with the circumstances of the particular case. Through this periodic review an effort is made to restore the child to community life, either in his own home or a foster home, at the earliest possible moment.

COOPERATION WITH OTHER AGENCIES.

SOCIAL AGENCIES.

As a case-work agency dealing with family problems, the juvenile court necessarily has relations with private organizations in Chicago that are working in the same field.

Attention has been called in a preceding section[1] to the court's use of the confidential exchange, or the registration bureau, as it is called in Chicago, to learn what agencies have known the family under investigation; consultation with these agencies, either by reading their records or by personal interviews, is a part of the work of investigation. It has also been pointed out that complaints revealing situations upon which no court action can be taken yet requiring treatment are referred by the court to an agency organized to handle the particular difficulty.

In other ways, too, the court cooperates with outside agencies. These can best be made clear by a discussion of the relation of the court with two agencies with which perhaps it comes in closest contact, namely, the Juvenile Protective Association and the Jewish Social Service Bureau.

The Juvenile Protective Association[2] is the successor of the Juvenile Court Committee organized in 1899 to pay the salaries of probation officers, there having been no provision for salaries in the juvenile court law. While this defect in the law was remedied in 1905,[3] the committee continued its support of four officers until 1909, when it was reorganized as the Juvenile Protective Association and turned its attention to community conditions affecting child life. The association, however, continues its case work for the protection of children found in dangerous or unwholesome surroundings. Its work is largely with the same classes of children as those dealt with by the court, and close relations with the court are necessary in order to avoid duplication and disagreement. At the present time the division of work between the two organizations is briefly as follows: The Juvenile Protective Association confines its attention to cases of a less serious nature, in which it is thought court action will prove to be unnecessary. Cases that seem to call for court action are referred directly to the court without preliminary investigation by the association. The association also does work that the court does not feel it can undertake, such as the investigation of anonymous

[1] See p. 37.

[2] It was known for a brief time as the Juvenile Protective League.

[3] See p. 6 of this report.

complaints and work of a detective nature. All such work that comes to the attention of the court is turned over to this association. In turning over cases that seem too trivial to require court action, the court uses its own discretion. If the situation is such that action, but not necessarily court action, appears to be required at once, the case is ordinarily referred to the association. If, on the other hand, this does not become evident until the officers of the court have made a partial or complete investigation, it is often thought better for the court, which is familiar with the facts and through its officer has established relations with the family, to continue the work. This is especially true if it seems at all probable that court action may be necessary later.

The Juvenile Protective Association on its side finds it difficult to know immediately what cases will require court action. A condition seeming to call only for friendly supervision may on further investigation prove to require more drastic treatment or one originally not serious may in the course of months or years become such that court action is necessary. To avoid the duplication of work that would occur in cases of this kind if the association turned them over to the court as soon as it saw the necessity for court action, the court and the association have agreed that if the association has done much work on the case before court action is seen to be necessary or before the case is referred to the court by an outsider, the association is to complete the investigation, which the court will accept. For this purpose workers of the association are commissioned as volunteer probation officers by the juvenile court. In making their investigations they are not subject to the supervision of the head of the investigation division, but they bring cases involving dependent children before the dependent-case-conference committee before they file petitions.

The court's method of cooperating with the agencies that care for Jewish families, until recently known as the Jewish Aid Society, the Jewish Home Finding Society of Chicago, and the Bureau of Personal Service (now organized as the Jewish Social Service Bureau) is somewhat different from its method of working with other agencies in the city. The Jewish agencies maintain in relation to the court the same policy that they hold with reference to most organizations, namely, that Jewish families can be dealt with more intelligently by Jewish workers and Jewish organizations and that these organizations alone should work with them. The court has acquiesced in this policy to a large extent, and at the present time the great majority of Jewish cases are handled by Jewish agencies with the power and authority of the court behind them. All complaints that are received regarding Jewish families are turned over to the Jewish Social Service Bureau for investigation. This agency investigates and keeps

a record of its work in its own office; it does not, however, report to the court the details of the inquiry or what action it has taken.[38a] If it is thought that court action is necessary, a conference is held of representatives of the three Jewish agencies. Dependent cases are taken before the dependent case conference committee only if the action contemplated requires spending public money for the support of the child. The relation of the officers of the Jewish agencies to complaints of delinquent boys is like that of the court probation officers; that is, investigation of delinquent boys' cases is made by the Jewish agencies in those cases in which the complaint is made directly to the court; in other cases the police probation officers investigate the complaint of Jewish boys as they investigate cases of non-Jewish boys.

In cases of dependent children and of delinquent girls, if the court orders probation or appoints a guardian, a representative of the Jewish agencies is always named as the probation officer or guardian. If the order is "guardianship with the right to place in a home," the agency makes no further report to the court. If, on the other hand, the order is probation, the representative of the agency is nominally at least under the supervision of the head of the family-supervision division and submits written reports to the court in accordance with rules covering reports on probation cases.

The court comes in constant contact with the United Charities since many cases, both dependent and delinquent, have at some time been known to that agency. No formal plan of cooperation now exists. At one time the society maintained an officer at the court, and recently one visitor of the society was assigned to all cases involving action in any court. These plans, however, have at the present time been abandoned. The probation officers are invited by the United Charities to attend district case conferences but rarely find themselves able to accept this invitation.

Successful cooperation often depends, of course, upon the willingness of other social agencies, both public and private, to carry through plans initiated by officers of the court. The work of the court can be rendered futile by the failure of the agency on which it must rely for special service. The following case illustrates the very great waste of effort caused by such lack of cooperation on the part of an agency through which alone the object sought by the court in behalf of the family could have been obtained.

Three children, a girl of 7, a boy of 5, and a girl of 1 year, all had glandular tuberculosis. Their mother had an active case of pulmonary tuberculosis. The father of the two older children had deserted, and the baby was an illegitimate child. In March, 1919, the case was placed on probation, and in June the proba-

[38a] Since July, 1921, complete reports of investigations in these cases have been made to the court.

tion officer placed the mother and her three children in a county tuberculosis sanitarium. In July she was given a pass by the sanitarium to go to the juvenile court with all the children, but she did not appear in court and did not return to the sanitarium. It was October before the family was again located and December before the probation officer had persuaded the mother to return to the sanitarium. When the ambulance arrived, however, she escaped with the baby through the back door, abandoning the two older children. The case of these two children was brought into court for rehearing on January 7, 1920. The following is a brief summary:

January 7, 1920: Case in court. Continued for three months in order to locate mother. Children to be placed meantime in tuberculosis sanitarium. Publication for mother ordered.

April 7, 1920: Case in court. Mother still missing. Sanitarium will keep children for another three months. Case continued.

May 12, 1920: Case in court. Mother still not located. Continued for publication for father.

August 10, 1920: Probation officer learns from sanitarium that on July 27, 1920, the children had been released to an uncle who had come for them, and the sanitarium had no record of their whereabouts. The "uncle" was unknown to the court.

August 11, 1920: Case in court. Family not located. Case dismissed.

RELATIONSHIP TO OTHER COURTS.

As explained in an earlier section, the juvenile court has no jurisdiction over adults except in the matter of enforcing an order for the support of a child removed from its own home. The lack of criminal jurisdiction has two important results. The first is that it becomes necessary for the probation officer handling the child's case, whenever court action against a parent or another adult is needed in behalf of a child, to institute proceedings in another court. The second is that a number of dependent or neglected children whose parents have been prosecuted in another court by persons outside the juvenile court never come to the attention of juvenile probation officers and never benefit from the services of the court.

Reports of the juvenile court contain repeated references to the first of these difficulties and point out the waste involved in the necessity of having to carry cases into other courts and in sometimes having two probation officers at work on the same family, one representing the adult probation department, the other the juvenile court. In 1916, for example, the report of the court contained the following statement:

> In studying the records of dependent children one can not help reaching the decision that the present overlapping of courts in Cook County is nothing short of ridiculous. In the same case the parents might be taken before the municipal court of domestic relations or the children before the juvenile court of Cook County or both parents and children might be taken before the different courts. Some day the courts will be combined. If that is not done in the near future, the adult and juvenile probation forces should be united so that the probation officers will at least work under one head.[4]

[4] Charity Service Reports, Cook County, Ill., 1916, p. 299.

Neither of these hopes has been so far fulfilled, but the court has made some progress in its cooperation with other courts. The offenses for which adults have been prosecuted most frequently by juvenile court officers are those of contributing to delinquency or dependency, nonsupport, abandonment, adultery, abduction, rape, bastardy, crimes against children, incest, abortion, selling liquor to children, and disorderly conduct. Within the city of Chicago, most of these cases may be prosecuted in the domestic-relations branch of the municipal court, which has jurisdiction in all criminal cases except those punishable by death or imprisonment in the penitentiary and in all cases which may be transferred to it by the circuit, the superior, and the criminal courts of Cook County.[4a] The more serious cases are held to the grand jury and tried in the criminal court of the county. In 1915 the juvenile court reported that 72 cases had been taken into the criminal court on charges made by wards of the court.[5] The offenses charged in these cases were rape and assault to rape, 41; crimes against children, 21; contributing to delinquency, 1; incest, 4; crime against nature, 1; seduction, 1; inducing female to enter house of prostitution, 1; and harboring females, etc., 2.

The charges in 348 cases taken into the court of domestic relations during 1916 are shown in Table XVII. The most frequent charges by juvenile court officers in this court are contributing to delinquency or to dependency, nonsupport, and bastardy.

TABLE XVII.—*Charge; cases against adults prosecuted by juvenile court officers in the court of domestic relations, year ending Nov. 30, 1916.*[1]

Charge.	Cases against adults.
Total	348
Contributing to delinquency	114
Contributing to dependency	104
Nonsupport	80
Bastardy	31
Rape	4
Crimes against children	5
Disorderly conduct	4
Selling liquor to minors	5
Abortion	1

[1] Charity Service Reports, Cook County, Ill., 1916, p. 300. In 1920, 261 cases were prosecuted in the municipal and criminal courts; in 1921, 456 cases.

Since 1915 an assistant State's attorney has been assigned to the juvenile court to advise the probation officers concerning cases taken into other courts, and no prosecution may be begun without her assent and the assurance that the evidence is sufficient.

[4a] Hurd's Illinois Revised Statutes 1919, ch. 37, sec. 265. See p. 13.

[5] Charity Service Reports, Cook County, Ill., 1915, p. 229.

So long as cases of abandonment, contributing to dependency and delinquency, bastardy, etc., can be prosecuted without the children involved ever coming to the attention of the juvenile court, the development of a uniform policy of child care in Chicago is impossible. The report of the court of domestic relations for the year 1917 [6] shows that during that year 5,651 children were involved in 3,687 cases of non-support alone. Children were also concerned in 319 cases of contributing to delinquency, 137 cases of contributing to dependency, and 435 bastardy cases.

No investigation has been made as to the number of children under the jurisdiction of other Chicago courts who have never been brought to the attention of the juvenile court; but probably few of these children were known to the juvenile court. Many cases heard by the court of domestic relations, however, are taken into court by a social agency such as the United Charities and the provision for the children and the supervision of the family under such an agency may be as satisfactory as that possible through juvenile-court action. But many dealt with by the court of domestic relations are not under the care of any social agency.

Formerly a juvenile-probation officer was assigned to the court of domestic relations to present cases in that court and to receive cases that might be transferred from the court of domestic relations to the juvenile court. This custom has been discontinued, however, and the cooperation between the two courts is far from complete. Both courts have at various times expressed the opinion that their work should be combined under one court having jurisdiction in all cases involving family life. In a recent report of the court of domestic relations the presiding judge expressed the opinion of that court as follows:

> As has been pointed out before, the domestic-relations branch would at once enter upon a greater program of usefulness to the public were the law-givers to enlarge its jurisdiction to take in all matters affecting the family that require judicial adjustment. If it be admitted that public policy of the present day and faultless administrative methods of justice call for special service, then, obviously, it follows that such special courts should be endowed with ample powers to handle their special problems. This argument means that all family troubles ought to be taken care of in one tribunal, doing away with a multiplicity of courts, with conflicting interests and consequent confusion, expense, delay, waste of time of litigants and lawyers, armies of witnesses, and scores of jury panels.[7]

It is obvious that both the juvenile court and the court of domestic relations are conscious of the need of change in the structure of the

[6] Tenth and Eleventh Annual Reports of the Municipal Court of Chicago for the years Dec. 6, 1915, to Dec. 2, 1917, inclusive, p. 98.

[7] Tenth and Eleventh Annual Reports of the Municipal Court of Chicago, for the years Dec. 6, 1915, to Dec. 2, 1917, inclusive, p. 97.

judicial system, so that the work they may be said to share may be more efficiently and satisfactorily done. To determine what the nature of that change should be will require careful examination of the constitutional limitations as well as the accumulation of a large body of data as to the exact nature and volume of the service to be rendered. The two courts do not exercise jurisdiction over the same geographic area, as the jurisdiction of the court of domestic relations extends over the city only, while that of the juvenile court covers the entire county. The court of domestic relations is a branch of the municipal court,[8] which as the successor of the earlier justice of the peace and city magistrates court, is a court of less dignity and of lower judicial rank. The judges of the municipal court, who are elected for terms of six years, in whose hands lies the appointment of a certain number of the members of the adult probation department, have never adopted the policy initiated by Judge Pinckney of making appointments from an eligible list prepared by a nonpolitical expert committee on the basis of competitive examination. The services of the adult probation department are by the terms of the statute under which the department is organized[9] much more restricted than those of the juvenile probation staff, as they can be utilized only when the accused has been convicted. These limitations were discussed at length in 1915 in a report to the city council by a committee of which Prof. Charles E. Merriam was chairman,[10] and conditions remain to-day substantially as they were at that time.

Under the clerk of the municipal court a social-service department has been organized. But in that department no principle of selection corresponding to the juvenile-court examinations has been applied; the staff consisted during 1919 and 1920 of only seven persons, though during the year 1919, 16,931 complaints were received, resulting in the issuing of 3,986 warrants, while in 1920, 38,441 complaints were received and 3,342 warrants issued.[11] Obviously in the present organization of the court of domestic relations no such basis exists for the development of a general family court as might be found in the juvenile court. The development of the juvenile court into a tribunal competent to deal with the various problems both civil and criminal that now characterize the treatment of the family groups of which dependent and delinquent children are members will require constitutional interpretation and possibly constitutional amendments that will demand a study of the entire judicial system of Cook County. Family problems in Cook County are, moreover,

[8] Hurd's Illinois Revised Statutes 1919, ch. 37, sec. 264 fol.

[9] Ibid., ch. 38, sec. 509b.

[10] Report of the City Council Crime Committee of the City of Chicago, Mar. 22, 1915, p. 60 fol.

[11] Twelfth, Thirteenth, and Fourteenth Annual Reports of the Municipal Court of Chicago, Dec. 2, 1917, to Dec. 5, 1920, p. 154.

dealt with not only by the circuit court and the court of domestic relations but also by the superior, probate, and county courts, all of them constitutional tribunals. The constitution confers, too, upon the criminal court of Cook County the criminal and quasi-criminal jurisdiction that is exercised by the circuit courts in other counties.[12] Such jurisdiction is not, however, specifically denied to the circuit court by the constitution; and it is possible that over certain classes of offenses concurrent jurisdiction with the criminal court might be granted to the circuit court and that agreements similar to that already arrived at in the handling of truant children might place the handling of the problems of the adult involved in a family situation in the juvenile branch of the circuit court.[13]

One difficulty now constantly confronting the juvenile court, however, is the large number of cases as well as the great variety of problems. It is therefore difficult to contemplate any considerable increase in the court's burden. If certain questions of jurisdiction now at issue between the juvenile court and other courts, such as that of jurisdiction over older boys, continued jurisdiction over children committed to institutions, or bastardy jurisdiction, could be so determined as to fix the court's responsibility for those groups of problems, other adjustments looking toward a corresponding reduction of the court's burden might be contemplated. Nor can the ultimate development of the court be profitably discussed without at the same time giving thorough consideration to the development of the public-relief agencies of the community, and to the provision of greater facilities for doing certain work with which the court is already charged, as, for example, giving to it adequate provision for "placing out" the children under its care *with* as well as *without* the payment of board. In this discussion, it is, however, impossible to go into these questions of enlarged community resources for child care.

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[12] Constitution of 1870, Art. VI, sec. 26. Hurd's Illinois Revised Statutes 1919, p. LXVII.

[13] Since this was written the Illinois Constitutional Convention, now sitting, has formulated proposals for the consolidation of the courts of Cook County that would obviate the difficulties referred to. The convention's plan contains express sanction for the establishment of a juvenile or domestic relations court as a branch of the contemplated consolidated court. See Report of the Committee on Phraseology and Style of the Illinois Constitutional Convention of 1920. Report No. 18, p. 16.

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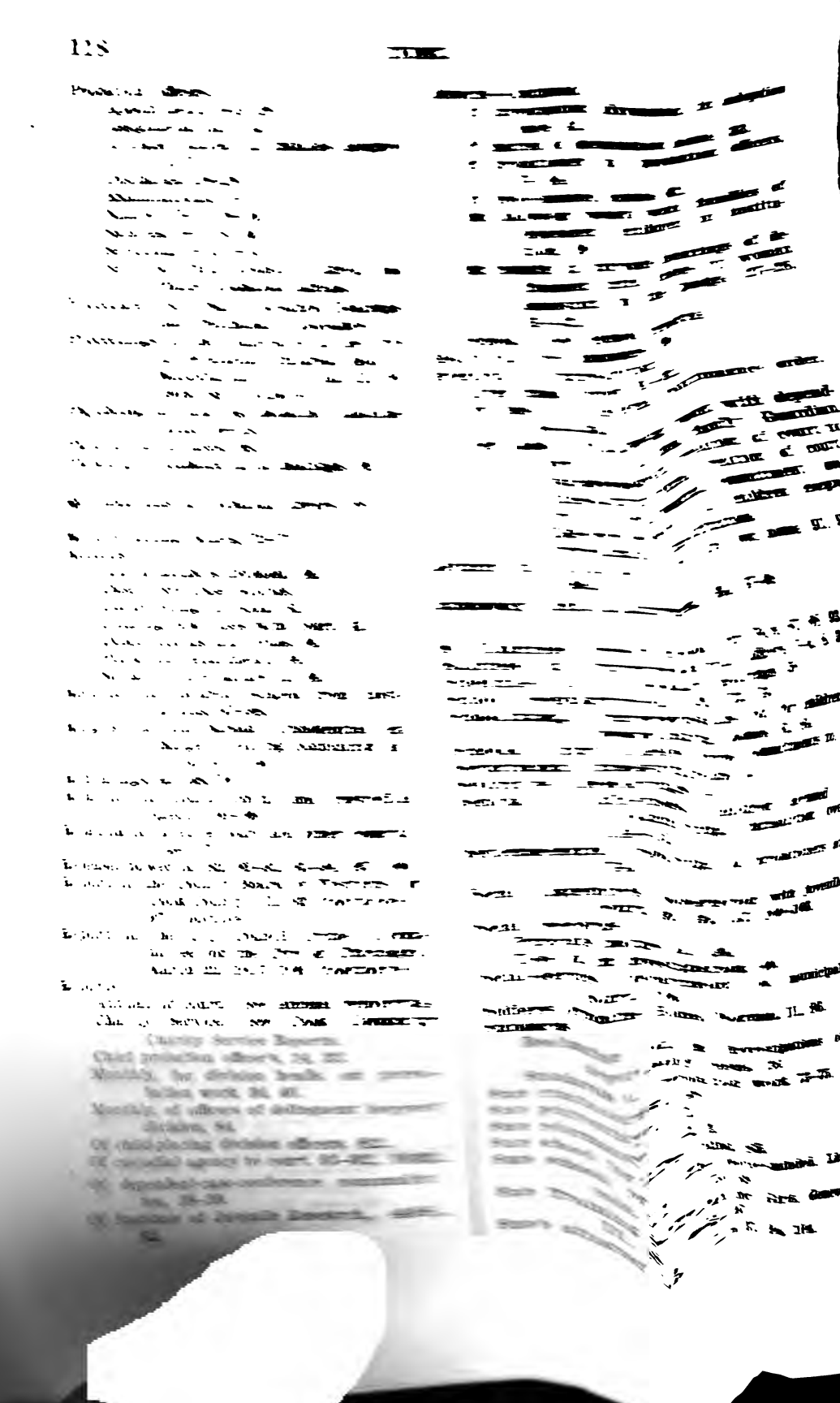

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